FOUR PANEL TRANSCRIPTS

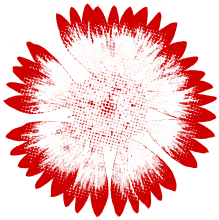
AUSTIN, TX

SMASHx

Movement Defense Conference

March 14, 2026 · Austin, TX

Panel Transcripts



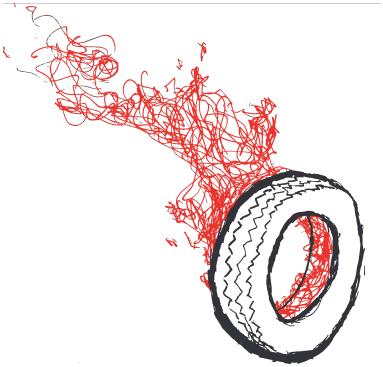
NO ONE WAY WORKS,

it will take all of us
shoving at the thing from all sides
to bring it down.

— Diane di Prima, *Revolutionary Letter #8*

Firewheel

A collective dedicated to building movement ecology and cultures of resistance in Central Texas



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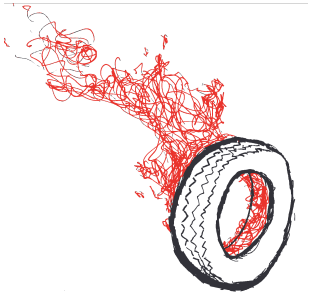
Four panels from the first annual SMASHx Movement Defense Conference.
Austin, Texas — March 14, 2026.



Stronger Together

Strategies for Collective Defense in a Changing World

AUGUST (FIREWHEEL, MODERATOR), GEORGE LOBB & CARLY (ALG), AC & LEE (DFW SUPPORT COMMITTEE)

"The jury said if you went to the Prairieland Detention Center on July 4th and you stood around wearing blue jeans and a black t-shirt, that you were part of a federally criminal riot that was materially supporting terrorism and you belong in federal prison for 60 years. If you are a 40-year-old person like one of the defendants, that's a life sentence. So that's what happened yesterday, and that's what we all need to process and figure out how we're going to relate to."

— Lee

Members of the DFW Prairieland Support Committee and movement lawyers spoke the day after guilty verdicts were delivered in the Prairieland case. The case marks a watershed moment in the contemporary landscape of repression, where people who attended a noise demonstration now face sentences of up to 50 years.

—

August: Hi, everybody. Welcome to the first annual Smash by Smash West Movement Defense Conference. This conference is co-sponsored by both the Austin Lawyers Guild, which is the local chapter of the National Lawyers Guild — these are the people who get you out of jail. It's also co-sponsored by Firewheel, which is a collective dedicated to fostering a culture of resistance here in Austin and beyond.

The point of this conference is to bring into conversation folks involved in their struggles and the legal defense thereof, organizing in times and amidst pretty intense repression that we're all facing. This is a natural part of movements and it's something that we shouldn't leave until the last moment to organize and get serious about. That's certainly true after the verdicts yesterday in the Prairieland trial that we all saw come down. Pretty harrowing stuff. We're actually very lucky to be joined here today with some folks from the Prairieland Support Committee. This is obviously a pretty incredible time for all of us, but for them more than most. I'm very honored to be in conversation with them today.

This first panel is going to be largely about collective defense, collective defense strategies, how you can start thinking about collective defense before you need to. But

largely, I want to give a lot of space to the folks from DFW to really reflect on this experience and share what they've learned.

I would like to welcome all of our panelists — the support committee and some local movement lawyers.

George Lobb: Good morning, everyone. George Lobb, attorney.

Carly: Carly, also attorney. I also work with the National Lawyers Guild, the Austin Lawyers Guild chapter. We'll be talking a little bit later about how, if you need an attorney, how you can pick one, how you can talk to them, and some of the lessons that have been learned through Prairieland and other instances.

AC: My name is AC and I'm a member of the DFW Support Committee. I formerly was a part of fighting a grand jury in the Pacific Northwest. Our organization was called CAPER, the Committee Against Political Repression. So I'm here to talk about some fucked up shit. I was also part of the Portland Bail Fund during 2020 and we did the whole thing then too.

Lee: I want to start off with a chant and then I'll introduce myself.

> *You are not alone. You are not forgotten.*
>
> *You are not alone. You are not forgotten.*

I think we are all in it together. My name is Lee. I'm part of the DFW Support Committee. I don't have as long a history of political repression, but maybe given this case I have as deep a history as anybody else.

I want to say at the top of this, AC and I are feeling kind of crazy. What happened yesterday is crazy and I'm going to be emotionally processing it the rest of my life. We came down to Austin because we had this panel booked. We didn't know when the verdict would come out, and I for one wanted to get the hell out of town and be somewhere else for a second. So you all should consider yourselves very lucky to get to see a pretty raw and wild historical moment, live. We're going to have a crazy day today, and I hope that people leave it thinking differently about the world and their role in it.

August: Could you give us a brief overview — what is the Prairieland case?

Lee: I'll give the 30-second overview of the Prairieland case because I think there are probably people sitting here and maybe some folks who just came for breakfast who don't know about the case. One of the things that has happened with it is it has been incredibly difficult to help people understand how important it is and to follow it. There's a lot of complexity to it, so people get lost in the details sometimes.

The top-line facts: there was a noise demonstration at the Prairieland Detention Center in Alvarado, Texas. That's about an hour south of Fort Worth, last July 4th, 2025.

Something went wrong. A police officer was injured, very possibly from a gunshot at that event. I still don't believe that it was a gunshot, nor do I believe that it was from a gun. Anyway, they just had their federal trial. They've been sitting in jail since then on $10 million bonds. They have both federal and state cases on a variety of charges. They just had their federal trial in the last few weeks. Yesterday, a guilty verdict came down — most of the charges were found guilty.

One of the things I want everyone to realize, and this is a detail that will be easy to lose: the charges were arranged in a strange way. There were charges of attempted murder that were structured in a way that implied everybody knew that this gunshot would happen and that it was some sort of coordinated ambush. Then there were a bunch of charges that looked like normal protest charges, but extreme, brought to a new level that we haven't seen before, explicitly calling what might be considered part of a normal protest tactical toolkit terrorism — setting off fireworks, wearing all black, light property damage. Those things are being called terrorism.

The way the verdict came down, it seems the jury did in fact not buy the government's argument that this was a coordinated ambush. But they did believe that the rest of the normal protest tactics — had the shooting not happened — that the rest of those things that many of us consider normal, deserve to have you sent to prison potentially for the rest of your life, and deserve to have you labeled a terrorist.

That's what happened yesterday. We can all bracket the gun thing — that's a side issue at this point. The jury said if you went to the Prairieland Detention Center on July 4th and you stood around wearing blue jeans and a black t-shirt, that you were part of a federally criminal riot that was materially supporting terrorism and you belong in federal prison for 60 years. If you are a 40-year-old person like one of the defendants, that's a life sentence. So that's what happened yesterday, and that's what we all need to process and figure out how we're going to relate to.

August: I want to start with you, Carly. I think the thing about this case is that this is not a run-of-the-mill criminal legal case. This doesn't require the same kinds of tactics. This is a political case, and political cases require something more than just regular, garden-variety criminal legal defense. I want for you to speak to what that looks like in terms of organizing yourselves both as defendants but also organizing the lawyers. What kinds of conversations do you need to be having with your lawyer to know if they are the right lawyer for this case, or can they be brought up to speed? Can they be brought on board? And what are some of those challenges with those lawyers that maybe are conversations you're going to need to have with them? Because so much of this case is a political show trial, and it does have particular facets. But the legal defense, to be tactful, maybe was lacking because it didn't necessarily take into consideration the fact that this was a political case.

Carly: I'm going to back up a little bit and we're going to talk about some stuff that is in some ways a little more boring and run-of-the-mill and on its face less emotional,

but it's important. Why can't any lawyer come to a case and be able to look at the politics, be able — this panel is about collective defense — to understand why we can't represent everyone together? We're just going to start with the law.

I am a criminal defense attorney. My job — I'm a public defender. I do not choose my clients. My clients come to me. If you're appointed to a case, you don't choose your clients. You do what your client wants you to do, and if my client shows up and says, what I want to do is snitch on my co-defendants, it is my legal and ethical obligation to that client to do that.

That is different when you pay your attorney. When you pay your attorney, you have a little bit more control over the nature of where your case goes. And if I were a paid attorney and my client came to me and said that, I could say, actually, I'm going to refund your money and I don't want to be your attorney, if that was my position.

And so the folks in Prairieland come to their attorneys and their representation in whatever position they are, whether they can afford to pay them. Y'all, attorneys are expensive. A case of this magnitude, it is almost unheard of for everyone to be able to have a paid attorney. We are not talking about folks who planned this in a way where they were like, "and I have my legal representation lined up because I know what's happening." This happened and everyone just said, oh shit, how do we get these folks attorneys — and attorneys who are going to say, let's figure out what you want, because this is political and you want the politics front and center at your trial and you want to support your comrades, how we come to an agreement to do that.

When we look at what happened, it's about a 50-50 split between folks who said, I'm scared, I'm weak, whatever they came to — I'm not strong enough in this moment to stand with other people and I'm going to sign this deal that the state has given me that says some wild things about the people that maybe I used to love and trust and used to love and trust me — because I'm scared I'm going to go to prison for the rest of my natural life. A 50-50 split of folks who cooperated, who snitched rather untruthfully against their former comrades, and folks who said, we're going to stand together. And they were all tried together.

We heard the top-level charges, which included attempted murder — and not to say these other more political charges weren't serious, but everyone was charged the same way. Whether there was an allegation that you had a gun, knew there was a gun, or fired a gun, everyone was charged the same way.

Just looking back at the way collective defense can work, it often says we're all going to be charged together or we're all going to be tried together to create a buffer, to create protection for the folks who are actually facing these larger charges and folks who might not. There are a lot of historical examples of collective defense. I would say going back further, but certainly going back to the WTO, to Seattle — people were being arrested and showing up in jail as all Jane and John Does and staying in jail and saying, I'm going to stay in jail until all of these charges are dropped, regardless

of what I was charged with. Folks who were charged with felonies and misdemeanors and even tickets were often staying in jail until everyone was released, often without even having to give their real names on tickets. These were standard protest arrests. The charges were often, as they are here, elevated to a level. Grand jury resistance is another place collective defense works.

But when you're thinking about your attorney and whether they're on board with this, it doesn't mean that your attorney has to share your politics. If they do, great — they're miles and miles ahead of someone who doesn't. But if they don't, there is a role for someone who knows that their job as an attorney is to be client-centered, to do what their client wants, to give them some of the education about what you might want. If you have an attorney who's going to say, you're going to have to take a plea bargain, that's the end of it — that's not the attorney you probably want in a case that is going to be complicated and is going to be more than about the facts.

This is a case where in the workplace, people often talk about managing from below. You may be managing from below with your attorney, trying to figure out if they can do the thing you're asking them to do, which often means working outside of the formal box that attorneys work within.

George Lobb: So based on what's been discussed so far, I'll go into a bit of the procedure. In all the federal trials that I've had, both good and bad, I've been able to select the jury — or at least have between five and 20, sometimes 30 minutes to ask questions. And that's usually with between one and the maximum 40 defendants. That trial was split up. Trials are lost and won in voir dire, in jury selection, because the 12 nice people sitting in a box plus two alternates decide your client's fate. They walk in there with biases and prejudices that are almost never changed. So you have to tell them a story that fits with whatever life experiences they have, or make it so compelling and shattering, or they have a Hollywood moment at the end and decide to side with your client.

Statistically, you need three out of the 12 jurors in a felony case to hang it up. Two if they're strong-willed and one if they're what I like to call the pocket constitutionalist or stubborn asshole like me. I hung up a jury when I was 22. It was a misdemeanor case. I did it just because. So it was a mistrial and they got retried.

But point being, with what I know in talking with a journalist in this case in Prairieland, there was a lot of shouting and screaming in the jury room. Why? Over what? Nobody knows because no one knows the content of that conversation. Only the jurors do. But what it tells me is that there was a disagreement. And what I suspect is either two or one of the jurors disagreed with the rest and didn't like what they wrote in the blanks of the 60 questions.

When you're on a jury, you get a bunch of questions you have to answer. Do you believe this? Yes or no. If so, then you must say guilty, not guilty. So there's a step to it in a federal case. Those are called special questions, and then the actual verdict

questions — guilty, not guilty. But you have to go through the special questions first to get there.

With this arguing, I suspect there were two, maybe three, but a minority on the jury who did not like what the rest were doing. Was this a negotiation tactic? Did the rest want them guilty across the board on the attempted murder charges and conspiracy? I don't know. We might find out in the direct appeal and might find out on the writ.

With an appeal, you've got 14 days from the date of the judgment to file the appeal. The government has 30 days if they want to appeal an interlocutory motion, order, or judgment. I don't know how long it will be until sentencing, but I don't think the PSRs — the pre-sentence investigation reports — are going to be ready by then. So I think it will probably be bumped out further. There will be a motion for new trial filed in most of these cases, I imagine, and that will stay any deadlines. In the meantime, everyone will be left in custody, which brings up a good question. If the federal hold is released, then that's going to accelerate the state case.

I am on Maricela Herrera's state case. If anyone knows her, she's a sweet individual, a loving mother. I've really gotten to know her and get along with her well, and the agony that she's going through — as the world moves on, she's stuck and frozen in time inside the Wichita County Jail. The hell she went through in the Johnson County Jail — there are some words that the guards use that I'm not going to repeat here, but I'm sure you can imagine what they were. Completely unnecessary to any penological interest that a guard might have in making sure someone is safe and secure inside a jail, if you want to use those words.

I bring this up to the attention of the marshals, and there's an email back and forth, and I bring it up to the attention of the magistrate after indictment, who says talk to the marshals. I talked to the marshals, who said talk to the magistrate, who said talk to the sheriff, who says not our problem.

Beyond the consequences and what kind of sentencing everyone is facing, the conditions at the Johnson County Jail — if any of them are taken back there — are worse than you might imagine. And it's not even the kind of cruelty that makes sense. It's almost juvenile and unoriginal in a way, which tells you more about the personality that they hire. You have to be a certain type of asshole to want to work in a jail, but then you have to go beyond that to have such unoriginal insults where they just don't even make sense and are unrelated to the case at all.

So that's a short summary of what I've seen involved in this case.

AC: For me, having done anti-repression work before — most of it happened in Portland. I'm from Dallas, I'm from the hellscape that is Dallas and moved away immediately when I could.

One of the differences I think about this case is that from July 4th, all of our defendants were in jail on $5, $10, $15 million bonds. So when I've done collective defense in

the past, the defendants have been out and we sit in a room together and we can make collective decisions and we can argue and we can have the lawyers there with us. This case is so different. We are trying to have real conversations with the people that we love over a recorded line, of which the transcripts were being used in court against people. And so here we are trying to figure out — when the pleas came through, because there was a period where everybody got offered the 15-year pleas, and we are trying to talk through and think about, I don't want to get a witness tampering charge, I don't want to get charged with something, but also my friends who were potentially not prepared for this experience, who have never interfaced with the legal system in this way, have no fucking clue and need help and understanding because their lawyers were entirely absent.

They got arrested on July 4th. It took a week and a half to get public defenders. And the reason why they got public defenders is because we did a phone zap and people started calling. They would not have gotten public defenders if we hadn't done that for a long time, because they kept saying, oh, the form isn't filled out. And we're like, all fucking nine forms aren't filled out? Are you fucking kidding me? No, that's not what's going on.

And this is the perniciousness of the Texas legal system. It's not just the federal legal system — we're all here in Texas. You guys are in Austin, which is a little bit different, but you're still in Texas. You still got Greg Abbott over your state. You know what I'm talking about. The fucking state forces here have their own particular brutality to them.

People went days — aside from a couple of our folks who, thanks to George, who got a call from us and went down. We were like, can you just go make sure that they're okay? No one has heard from them. We don't know what's going on. None of us knew. They didn't have our phone numbers. They didn't have their family's phone numbers. None of us knew what the fuck had happened that night. We weren't even in the state at that point.

And that's how it snowballs. They have 10 days where they don't really actually talk to a lawyer that's their lawyer. And in that time, they're trying to talk to us. We are trying to figure out, what do we do? How do we support our friends? They're all in solitary. This is the thing that doesn't get talked about — when they were in Johnson County, they were in solitary for three months.

George Lobb: But bad solitary. There's solitary and then there's bad solitary.

AC: Yeah. Liz and Vanna were in what's called medical solitary. If you can imagine a four-foot white box, that's what they saw for three months. A four-foot white box. They were not allowed to see other people other than the guards and us — we went to visit them.

And so that's happening. And then they're strip-searching them three times a day in

the middle of the night. And then they're not giving them vegan food. And then they're not giving them lawyers. They are facing all of these incredible things.

Part of collective defense is being there with your friends that are facing horrible things, to support them and also continue to figure out how you fight together. Because we're like, we're not going to fucking let this go. We're not going to let our friends fucking die in jail. And so you have to keep going.

I think part of what I'm proud of that we've done — while we're in this fucked situation — is that we pulled a group of people together who figured out how to navigate five different jails. We went from Johnson County to FMC to Wichita to Tarrant County. Every single time we had to figure out a new commissary system, a new communication system, new ways to send books, new ways for them to get food. And we did it.

And we had to raise money when no one wanted to touch this case. We called so many people nationally and they're like, that person just shot at an immigration center, those people are crazy. And we're like, that's not the same case. They didn't care. And so we had to raise so much money. We're at almost $90,000, which seems like a lot, but —

George Lobb: It's one lawyer.

AC: Yeah. At this point what we've paid for was two lawyers, and that's on the federal case. And we sat and talked to a ton of lawyers and they were like, no, we're not going to touch your case, we don't work in Johnson County.

So all of this is to say, I think one of the lessons coming out of this for me is this is a conversation we all need to be having now. Have you read the Tilted Scales guide for defendants? If you have not, go read it. I'm serious. Every person in this room, every person you organize with, every person in your life that is thinking about going to a protest needs to understand how the Texas legal system and the federal legal system work so you can advocate for yourself with the people who love you. Because part of what happened is that because we weren't able to do that prep work, our friends didn't have the knowledge that they needed until way late into the process. And it really challenged their ability to advocate with their lawyers for a political defense.

Part of why they lost is because it wasn't a political defense, to be completely frank. We sat in meetings where we got really intense with these lawyers, like, you don't seem to understand — this is not a random murder case. This is the Antifa case of the century for this administration. This is their bedrock. This is how they get Minneapolis. This is how they get Chicago. This is how they get people fighting data centers in this state. This is how they get anyone in the country who is stopping ICE from kidnapping and disappearing people. I hope everyone understands that — anyone that is trying to stop ICE, you are a terrorist now. This case means you are a terrorist. This case means you don't have a right to do that, even though it's fucking immoral and it's wrong.

And so we have to deeply understand how we prepare for that. Part of that is we need

to understand what we're up against. Part of that is we need to find folks, lawyers, who have a skill set that will meet us where we are and will work with us and will listen to us and understand what a political defense is. You guys are lucky in Austin because you have some folks here. We do not have that in Dallas, and that's part of the thing that we have to figure out how to build.

How do we prepare ourselves? We have to understand what it is that we're going to be fighting. We have to understand what the stakes are now and not be afraid. We shouldn't stop doing what we're doing. We can't stop doing what we're doing. What we have to do is rise to where we are at now. We need to be prepared. We need to be talking and having conversations with the people in our lives.

We take care of my elderly mother. And so we now have had conversations with my best friend, who I've known since I was 13 years old, who is not political. And her willingness in a moment to say, I'm going to go to your house and take care of your mom if you disappear. We have to let the people in our lives come and support us. And we have to have those conversations now. I know that can be hard. My mom and I haven't always gotten along, there's a reason why at 18 I left. But her and I and Lee have had many conversations about this case. We taught her not to open the door. We taught her not to talk to the police. These are things that we've had to start having with people in our lives, and our comrades too.

Some of these lessons are: we need to be prepared, we need to do the basics, we need to think about if we get arrested. If we're Savannah and Liz and Inez and we leave our work and we go to this protest and we never think that we're not going to go home again — who is going to pick up our lives? Can we have those conversations now before we're sitting in jail trying to get a power of attorney so that we can get people's mortgages paid and we can get their kids enrolled in their schools?

The other aspect is, what does it mean to fight a political case? Part of that is we have to do it together — the people who love the defendants, the defendants — but we all have to do it together. We all have to fight political cases together, all of them. I want to shout out the Turtle Island people who were entrapped, clearly. I want to think about the fact that there are people in Minneapolis and Chicago who are facing cases right now for the brave, courageous, and valiant actions that they've taken. People here — we have to fight all of those cases together. That means resources, that means talking to people about it, that means writing letters, that means anything that we think in our lives we can do, we have to start making more space for it. Because now is the time. If you've ever thought, what would I do to fight the Nazis, or if I were in the Spanish Civil War, whatever we love to think — you're there. It is now. I don't think I have to tell you all this, but if the people in your life don't realize it's now, you need to help them understand. It's now. We are there. If you are not doing something, you are the people watching.

That's the other thing we have to change in our minds — how do we start fighting

repression collectively? Because it shouldn't be just on our shoulders to fight for our friends, and it shouldn't be just on the shoulders of the people in Minneapolis to fight for the people that they love. We have to fight together as a movement because that's how we win. We don't win as individuals. We don't win as a small committee. And while I feel extremely proud of the work that we've done to put together something out of what was poop — I mean, part of why it came together was because of people here in this audience who gave up weeks of their lives and came to Dallas and cooked and got on the phone and talked to us and called lawyers and helped us find money and helped us talk to the press. The amount of other people that came and supported us, that is the reason why I am not destroyed right now. Because my best friends are sitting in jail. And the reason why I'm not destroyed is because people in this room have given me the courage to keep going. Because that's what it takes to do these fights.

For me, that's the power of the collective — it's not just about this one fight. It's about making it possible to do the other fights. Because we don't want to just fight for our comrades in jail. We want to fight for a fucking meaningful, better life. Fuck this life that we have in this country. We all deserve so much better. And we know it. And we can have it. And people are fighting already. That's the point — to fight for that. And repression and challenging repression is just one part of that. But if we fight repression correctly, then we are much stronger for the rest of the fights that we're fighting.

I came in with this thinking, I fought a grand jury and we resisted it and nobody was indicted and it was really great. And then this fucking case laid me on my ass. This is not anything like what that was. So here we are at unprecedented times and it is going to require us to think and act differently. And that's okay, because we can.

Lee: It's funny, when we were preparing what we were going to say, the delegation was that I was going to bring the crazy and you were going to bring the knowledgeable technical stuff. Best laid plans.

I think what would be helpful is to talk through a little bit of the nuts and bolts of what we did over the last six to eight months, because a lot of that was new to me. I have a lot of experience with organizing, but I don't have a lot of experience with anti-repression work. I do have a lot of experience with building power with people and inspiring people to feel collective strength. And this was one of the most difficult and most challenging and also most beautiful organizing projects that I've been a part of, and I'm still a part of — this is not over.

What people need to understand that's hard to appreciate is that the political community in DFW, especially the one that the defendants came out of, is not a many-decades-long tradition and culture and world of people who have been in the streets together and have been fighting and taking challenges and building institutions. That is not what it looks like in North Texas. I lived in Portland for a very long time. I grew up in New York, I lived in Chicago. I have very different contexts for what it means

to be political. And I came to North Texas and I was very confused. But in some ways I was very inspired because the political community that was there felt different from anything else I'd seen. It felt very much about people finding each other through very dark times and a thin environment, in a desert of horseshit. People were building something that really mattered to them and was actually very beautiful and was not cool. It was not fashionable. It was very nerdy. And that inspired me, and this is why I became close friends with the people who I did.

But when the case happened, when people got arrested, everybody fucking ran. Everyone was a cockroach and they ran under the couch. And most of those people I haven't seen since. Only in the last few weeks have I started to see a couple people come out and say, oh, I used to know so-and-so. And that is a huge part of why this case has gone the way it did. That didn't just happen locally — that happened nationally. People ran from this case. I have a lot of theories about why that is, but it all comes down to fear. People were just scared. And I was scared too. We spent the first months of this case terrified about the day when the FBI would knock down my door. And that's not over. Honestly, them winning this case means — if the charge is material support for terrorists, what have we been doing? We've been attempting to materially support these individual people who are now found guilty of being terrorists.

That came out in court. They discussed our fundraiser in the trial and dropped George Lobb's name — who is a defense attorney on the case, what could be a more logical thing to have the fundraiser attached to — and dropped George's name as some nefarious part of the conspiracy.

So in July, we had to start from zero. And what we did — and this is I think very important — is we found the people who had no choice but to be involved, that they couldn't hide. This is people's moms, people's sisters, people's wives, people's kids. Those are the people that formed the committee.

There's a lot of tradition of activist anti-repression that I think has a very abstract relationship to it. Especially because legal stuff has a lot of technical knowledge, you can become a dork about anti-repression stuff — you're like, I know what a Grumbles motion is, or whatever. And that's all very important. We're looking at the people who have filed Grumbles motions in this room.

But the crux of a political defense is solidarity. And the crux of real solidarity is that feeling of: I can't leave, I can't do this without other people, my survival depends on you. That's what solidarity is about. And that's what we had to find.

So we ran and we found people's family, we found people's people. And then we built that core. And what we focused on was building trust in that group of people. We had very small meetings in parks because we were terrified of surveillance. We had to put up with fucking CryptPad for this whole time. I know, I know. We're all traumatized from CryptPad.

But we found people and we started to look at each other and say, we are who we have. And we built from there. And we got no's as we started to reach out for support — for press support, for legal support, for fundraising support. We got lots and lots of no's, or lots and lots of "yes, but." And we were not daunted because we knew that our defendants are innocent, that they do not deserve to be in prison. We know that. We knew that then, we know that now.

As the trial has progressed — I think those who haven't been following, which is totally fair — all of the things that we said on July 5th have become even more true than I could have imagined. As the trial came out, the facts of the case are even more exculpatory and on our side than I could have imagined.

Just to go into a little detail — this thing about the bullet, this thing about the shooting. Here's what happened. We don't know for a fact — that's the blah, blah, blah. The government claims that Champaign Song fired at the officer. OK. In the closing arguments, Champaign's defense attorney showed a video, a new angle that hadn't been shared before in court, and it showed the bullets hitting the dust in front of the police car. Champaign is a good shot — that's true, she spent a lot of time at the range, they showed videos of her at the range. And she shot the dirt. The charge is attempted murder. The charge is not accidental endangerment. The charge is attempted murder. It seems fucking obvious to me that she wasn't attempting to murder the guy.

Until that came out in the trial, I had no idea why she would have shot or what the shots were. I had no idea what happened. And it came out in the trial that it's pretty obvious she was not trying to kill the guy. Whatever she was trying to do, that wasn't what she was trying to do.

Moreover, the angle of this guy's wound doesn't make any sense. He got hit here. Champaign was over there. How do you get shot with a bullet with a wound here from over there? The only thing that makes sense — they show the bullet, the bullet was broken in pieces — the only thing that makes sense to me is the bullet hit something, shattered, and the guy got a shrapnel wound. Now, they never released the medical records. The medical records never ended up in discovery. They said they didn't have them. They said on the stand that the bullet went through the man's neck — went into the shoulder and out the neck. That's what they said on the stand. The man spent three hours in the hospital. This all came out.

So this was a digression to say: we've been saying the same fucking shit since July. This smells wrong. Our people are innocent. And it's all come out that we've been right.

What needed to happen through all this was that we needed to have the strength internally to know that we were saying the truth, to help each other stand on our truth, to actually have the kind of strength to keep saying it, even as people started doubting us and even as people said, no, I don't want to touch this. And then slowly but surely, we actually did break through. And that's our accomplishment.

I'm extremely proud of what we've done. If anybody is Googling the case now, they

see our narrative. And they see that we've been saying the same shit since July and it's correct. And they've seen that this is a political trial and this is actually about the politics and nothing about whatever happened to that guy's neck.

What needed to happen there is organization and solidarity and relationships. And that's how we did it. And commitment to continuing even as things seem nearly impossible. And that's the key to security — whatever OPSEC shit you want to use, it doesn't matter unless you have those relationships and unless you have that commitment.

AC: Because folks are here — one of the groups that turned the tide for us was the National Lawyers Guild. They were the first legal group that was like, yeah, let's go. I'm really proud that we're here with the NLG. I worked for a long time with the NLG in Portland. And I just wanted to give you guys a shout-out because you were a huge help to us and turned the tide for us and fought for us.

The funny story is that Javier, who is the mass defense organizer for the National Lawyers Guild, now every time they go to the meetings, they're like, yes, Javier, it's your time to talk about Prairieland. Which is important, because that's what needs to happen — people need to hear about this case. I think it's also important to acknowledge when people have said yes to us and that it's changed the game for us.

Carly: And just briefly on that — that involved us sitting in a room crying for weeks, honestly, trying to figure things out. And when we talk about community, part of it is trying to figure out how to bridge those gaps. Because I think we all — and this is just a lesson learned in retrospect — might have been more effective if we would have figured that out earlier.

I think here in Austin, we felt very scared and very alone and very isolated for all those reasons. You can't organize with people who can't have a conversation with you. Not only just not knowing if they're okay, but you can't figure out what they need, what they want. And so part of that is doing that work now with the people you care about. Having those hard conversations, but also having conversations about what solidarity in that moment looks like, and how you're going to find the strength to be strong if you need to. And hopefully you don't need to, but there's going to be more and more things that happen because people rightly believe we're living in a revolutionary moment. And so those actions that feel inevitable in a moment like that are going to happen, and more of the people we love and we trust are going to face repression.

Having those conversations — even if you don't think of yourself as the person, maybe you are the person who is picking up a kid from school or feeding the cat. That is just as important as the other pieces of this, even if it doesn't feel as sexy or as meaningful. We all have a role to play. And I don't want anyone to be in custody or incarcerated — I'm not saying that is the role any of us need to play. But if you're facing repression, there are people that need to support you, and those support roles are just as important.

AC: I just want to say one more thing. Don't talk to the police. Seriously. Don't. I want to say this because people in Portland didn't know this. Martha Stewart went to jail on what's called 1001 counts. She did not go to jail for insider trading. She went to jail for lying to a federal agent. If you say to a federal agent — which happened in this case — "I do not know," they can show up with a piece of mail and say, actually, you do, you are lying to me. And that is five to seven years. This is why you don't talk. Because "I don't know" is a lie. And then you've got yourself. And then maybe you're cooperating and turning against your entire community. So it's not just "don't talk" — it's *don't talk*, because it protects you and it protects everyone else. Even bullshit that you might say that you think doesn't matter can matter. That's why: lawyer, or don't talk.

Carly: "I'm going to remain silent. I'm not speaking to you without my attorney." You don't have to have an attorney. They might turn it on you and say, what's the name of your attorney? That's not how you invoke your rights. You are not smarter than them. You're not more clever than them. Anything you say, even if you think you're keeping it casual, you're joking, you're messing with them — all of that can get you or your comrades in trouble. "I'm going to remain silent. I want to see a lawyer." And then don't stay hidden. If the feds come to your door, if Texas shows up, call somebody. Get in your community. Have somebody there to support you through what is intensely scary, but also so that you don't stay in your fear and then make decisions from your fear.

Fight to Win

Combatting Repression & Counterinsurgency

ISAIAH (FIREWHEEL, MODERATOR), JAMES (NLG FEDERAL REPRESSION WORKING GROUP), WILL (EDITOR, *LIFE DURING WARTIME*)

"Care is the antidote to brutality. AI cannot take care of our children. It cannot feed us. It cannot give us purpose and meaning."
— Will

How do we stay strong and connected when the state aims to make us weak and fractured? An editor of Life During Wartime: Resisting Counterinsurgency, alongside a member of the NLG's Federal Repression Working Group, discuss political repression and counterinsurgency — what it is, why it happens, and what movements can do to navigate through it.

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Isaiah: Welcome. This is going to be the Combatting Counterinsurgency panel, about how to build strong movements in the face of state repression. We have two panelists today. Our first panelist is James, who's part of the Federal Repression Working Group of the National Lawyers Guild. We also have our own Federal Repression Working Group, so it turns out. And we're also really excited that Will has joined us, coming from out of town. Will wrote and collected the volume that is *Life During Wartime: Resisting Counterinsurgency*, which remains the best book about contemporary counterinsurgency in the United States – the strategies used by the state against movements and how movements respond to them.

James: Thank you. And shout out to everybody that spoke before us – that was wonderful. I do want to preface this: Will and I have been collaborating on some of this material for a while now, but we didn't invent any of this. We didn't create any of this knowledge. We draw a lot on the experience of people that have come before us for many generations, and so we want to really acknowledge and invite their experiences and their struggles here with us, because that both informs and really inspires and gives us grounding for the work that we do and the work that we're all doing.

Will: It's a real honor to be here, and thank you, Isaiah. Thank you, James, and thanks for the folks that spoke earlier – that was really inspiring. I want to pick up

where they left off, which is: why are we here in the first place? Repression isn't very fun, but we're here because we're part of social movements. And so that's really where we want to start – what are social movements and how do they create change?

Generally, these movements are broad collections of organized effort to create social and political change, encompassing a diverse array of people, organizations, communities, strategies, and tactics. There's not one thing. But a particular thing happened within both United States and international history that a lot of us started to key on to more than a decade ago – watching a lot of the repressive technologies, strategies, and ways of thinking come back from the experience in Iraq and Afghanistan during the global war on terror and start to be applied to movements in the United States.

And when we started to have these conversations with movement elders, what we realized is that a lot of these conversations have been happening for many generations. We're not the first generations to encounter this. You can go back to something like the COINTELPRO efforts targeting the Black Power movement, and you could go back even further to some of the original settler violence and the institutions created to enforce settler violence, and see a lot of interesting parallels.

But there was a particular thing that was happening in mid-century, particularly in colonial situations – the British and French experiences in Africa, the Mau Mau rebellions – where they were saying, there's actually a theory here. And that started to emerge as this idea of counterinsurgency. We cued in on this more than a decade ago because the US military was publishing doctrines like FM 3-24, the military counterinsurgency doctrine, that really laid out how they thought you combat social movements. And then we started to see these tactics pop up in the United States. And we thought, this is really something worth thinking about, because it gives us a theory in which social movements can understand how the state is calibrating their strategies. And the big question that we had is, well, what do we do as a response?

So just to give a bit of context for this intellectual and book project: we organized this gathering in Portland. We brought together old Black Panthers, AIM members, environmental groups. We tried to really understand – what do we have in common? How can we understand this shared terrain of struggle? And when we published this, we didn't mean for it to be a guide. The road is uncertain ahead, but what we can see is a broad outline of state repressive strategies, of dividing movements, and really a contest over legitimacy.

Let's just get into the weeds of it. Insurgencies are contests over legitimacy. They're social and political struggles. The legitimacy of the state is never guaranteed. And one thing that is unique about counterinsurgency theory is that it imagines a social struggle as inherent to the contradictions of capitalist or colonialist society. They're not saying there's a great world...

There is a gap in the recording here.

James: It helps to understand what our movements are and what our movements use and need to be successful. So just to start with some definitions: a movement or a social movement is a broad collection of organized efforts to create change, and it encompasses a diverse array of people, organizations, communities, strategies, tactics, ideas. Sometimes I think we get very narrow conceptions of what is a movement or what constitutes a movement, but I think it's important to think about our movements much more broadly. I think that helps us better understand the culture and the society that we're in and how the state and counterinsurgency efforts respond to that.

Movements need certain things to act and to affect the change that they want. They need to create and maintain the solidarity, the morale, and the commitment of the people that are involved amongst current participants. They need to attract new participants. They need to bring people in from the uncommitted middle of society that maybe doesn't have a strong stake or position and bring them closer to the position of the movement. They need to create, nurture, and support leadership and empowerment amongst the participants, giving people capacity to act, capacity to create strategies and tactics to pursue their goals.

They need to generate media coverage to communicate with society at large – and that can be through the state's media, through the corporate media, through our own media – but there has to be communication and dialogue between the broad movement and society at large. They need to mobilize support from sympathetic bystanders, realizing that people that are sympathetic might not always get super involved. They might not come out to a sunny afternoon talk about repression and counterinsurgency. But they will still be sympathetic to the movement's goals and they will act and intervene in crucial ways – helping raise funds, helping do logistical support, helping do background tasks, creating conversations and inroads with other parts of society that we might not otherwise have access to.

And then the ability to carve out the tactical freedom to pursue the movement's goals. This is counterposed to devoting resources to defensive measures, reacting to the state. There's an idea that within a political struggle, the advantage is not necessarily to the side that has the strongest armies or the most resources, but advantage accrues to the side that can capture and maintain the initiative and maintain momentum. So thinking about the asymmetric struggle between the massive state and the power of capital versus our social movements and our grassroots organizing and organizations – how do we possibly mount a challenge to the state? It's through being creative, being nimble, maintaining initiative, and maintaining momentum, because those actually accrue us much more advantage than simply trying to win an arms race with the United States government, which is a fool's errand.

So with this understanding about how our movements function, I want to talk about what repression is. I think we all have conceptions about repression. We see the Prairieland case. We see people getting tear gassed in the streets. We see what happens

in Minneapolis. And we're like, yeah, that's repression. But I want to broaden our thoughts about it also.

Repression includes all the means that the state uses to protect itself and its authority from political challenges by neutralizing or destroying organizations, movements, and ideas that threaten their power. Repression can be both a response to crisis – a moment like in 2020 when George Floyd was murdered and the state was suffering this crisis of legitimacy and people were in the streets and revolting against that – but repression can also be a method of preserving normalcy, preventing that crisis from emerging in the first place, maintaining the status quo, and narrowing the box of what's considered acceptable or possible in society. And so it can look like a lot of things, but always serves to limit political action and discourse.

Repression is a constant and continuing reaction to movements for progressive radical social change. The methods and the degree of repression can vary over time according to the movement, who's in power, certain circumstances, but there's always some level of repression that's present.

And so when we think about repression, I think there's this common sense approach of: how do we avoid repression? And if there's one thing I can impart on you in this panel, it is to disabuse you of the idea that you can avoid repression. I think that's naive. I think that's misplaced. And I think that leads you down the hole to being ineffective and basically capitulating to the status quo.

And so if we can't avoid repression, then the vitality and the effectiveness of our movements doesn't depend on this fantasy of avoiding repression. It depends on how we understand, anticipate, respond to, and deal with repression – or what I like to think of as building resilience against repression. And many of the ways that we build that resilience, I think, have a lot less to do with how we interact as a movement with the state, with the corporate oligarchy. Some of it's about how we interact with the state, but a lot more of it is about how we interact and how we organize ourselves as individuals, as communities, as organizations – the internal organizing practices and principles that we use in building our movement.

And so part of that is inoculating ourselves against the tactics of repression, mitigating the impacts that repression has on our movement, finding ways to reassert our initiative and rebuild momentum when we face repression, and broadening our basis of support in this contest over legitimacy that Will was talking about.

To give a framework and talk about counterinsurgency theory – I think it's kind of complicated, it's easy to get lost in it – I'm going to read an excerpt from an essay that was in the book that Will was talking about, *Life During Wartime*. This essay is called "Counterinsurgency and the Occupy Movement." There's zines of it that are over on the table there somewhere, and I want to point out that this zine was actually one of the pieces of evidence that was entered at trial against the Prairieland defendants a couple weeks ago. Part of the government's supposed conspiracy and terrorist plot

nonsense that they were coming up with involved a lot of literature, zines, books that people had at their houses. This was one of them, and so I thought it was apropos to read from it a little bit and also to have copies available. I highly encourage reading the whole thing.

"Counterinsurgency doctrine has seen parallel developments in the international and domestic sphere, aided in no small part by the mutual interaction of the two spheres, as federal agencies have come to play a larger role in both equipping and assisting the development of local policing strategies. The recent revision to the U.S. Army's counterinsurgency field manual emphasizes the political over the military aspects of counterinsurgency, a focus on the local population rather than the enemy, strictly understood, and the ideological winning of hearts and minds of the uncommitted middle rather than a policy of unrestricted annihilation. However, we must be clear that this new counterinsurgency doctrine is still fundamentally military. These hearts and minds are not seen as ends in themselves, but rather a means towards ultimately defeating an enemy. For General Petraeus and others, good intelligence comes from a good, friendly native population – the sea in which insurgent fish either flourish or perish – and the goal is to therefore disrupt this insurgent symbiosis. Just as the U.S. military seeks to win hearts and minds abroad not as a contribution to a more humane world, but as the best way to win a war against insurgents, so too has domestic policing shifted towards seemingly softer forms in an effort to destroy movements with the velvet glove, although not without recourse to the iron fist.

"Tracking the shift in protest policing reveals a tactical innovation on both sides. During the 1960s, policing of protest movements was rooted in a strategy of escalated force, characterized by mass and unprovoked arrests and the overwhelming and indiscriminate use of force. The public scrutiny generated by this excessive force gave rise in the 1980s to a new strategy of negotiated management, in which police collaborated with the leaders of professionalized social movement organizations to regulate highly choreographed demonstrations and often scripted arrests. Radical organizers soon slipped the yoke of this routinized protest, putting forth ambitious demands that exceeded negotiation and pioneering new and more flexible tactics, refusing to be straitjacketed by either the police or their own leaders. Negotiated management could not keep up.

"This forced policing agencies to strategically reconfigure once again, resulting in what's called strategic incapacitation. This approach emphasizes the application of selectivity, where police distinguish between two categories of protesters – the contained and the transgressive – in order to target those most likely to engage in disruptive activities. In other words, contemporary policing strategy has come to firmly rest on the distinction between good and bad protesters, crucially identifying the bad protesters in potential prior to any disruption. In practice, this often looks like a selective fusion of the two prior policing regimes: negotiation for the good protesters and force for the bad protesters. However, this selective use of force has three additional aspects that

constitute a sort of new regime of policing. First, contemporary policies of strategic incapacitation place a greater emphasis on surveillance prior to, during, and between protests. Second, the strategy seeks to consciously manage information through the media by controlling the flow of suitable information using sophisticated public relations tactics. And finally, strategic incapacitation seeks to proactively organize physical space in a way that hinders and hobbles organizers by effectively preventing access to the object of protest."

So that gives you a theoretical basis for what we talk about when we're talking about counterinsurgency and how it's evolved and how we respond to it.

Will: So in the 10 years or more since we published this, it's been a good chance to reflect. What did we get right? What did we miss? I think a couple of the things I want to point out that we missed. One was the development of a more private counterinsurgency, a corporate counterinsurgency. We saw this a lot at Standing Rock with outfits like TigerSwan actually performing a lot of that analysis and then coordinating with local and state police for enforcement actions. And a couple of key insights from some really great reporting that folks like Alleen Brown did, who got a lot of the internal documents from TigerSwan, is that their intelligence is actually really bad. Our movements actually have done a pretty good job of operational security, trying to figure out how to prevent that sort of surveillance. But also that our movements are really powerful, and that the pipeline companies, the private prison companies recognize that power. And I think it's always crucial to keep that central, because they want us to think that we are powerless, that we are alone – and to try to isolate with that good protester, bad protester strategy the more intransigent elements. Which is why cases like Prairieland are so important, because we're demonstrating that people are not alone.

I think another aspect – and a chapter from this book written by some folks that were working on organizing against border violence decades ago – has really come to fruition in places like Minneapolis and all over the country right now. The distinction between citizen and non-citizen is another dividing line that contemporary counterinsurgency is using to split workers and split communities. And we have seen the development of a lot of the repressive technology really come to the fore in the last year – everything from AI targeting in places like Gaza, now Iran, facial recognition technology. But again, I think it's really important to emphasize that even with all this very scary technology, their targeting is quite bad, which is why we're bombing girls' schools in Iran and why in places like Minneapolis, they're actually not able to control the situation.

I think another element that we under-emphasized in this book has been a line of political thinking that a lot of feminists have been saying for a number of years, which is that care is actually this incredibly political aspect. And if I learned anything in the last 10 years – the antidote to counterinsurgency is community care and mutual aid.

When we extrapolate out into a world of climate change and increased fascism, care is actually what's going to distinguish us from the world we're leaving behind and the world that we're trying to create. And so as we go forward and learn how to flex and exercise power, care is the crucial part of that – care for our comrades, care for each other. It's the background work. It's the child care. It's the food. And that was another crucial lesson of Standing Rock: you might have 13,000 people about to go out and shut down a pipeline, and there's thousands of people behind the scene making sure that people are fed, that elders are cared for, that children are cared for. Care is something I want to just highlight and really emphasize here.

Isaiah: We're obviously living in a time where the brutality of the current administration, its wanton disregard and willingness to use open forms of violence, means that we have these softer forms of counterinsurgency layered onto the types of things we're seeing – whether it's in Minneapolis or whether it's what we saw with the Prairieland case, this outright jackbooted show trials, people getting grabbed off the street. So facing this, how can movements orient to this new reality we're in and the terrain of counterinsurgency that we find ourselves in now?

James: When Will and I were preparing for this, we were talking about – is counterinsurgency dead? Has the current regime just jettisoned the sophistication of counterinsurgency and reverted back to a more old-school, just-smash-everything approach? And I think our answer to that was a little bit mixed. Definitely the federal government shows signs of abandoning sophisticated public relations campaigns and information management and surveillance. But I think ICE has really emblematized this combination of using really deep intelligence, big data, artificial intelligence, combining that with an old-school Gestapo-style brutality.

They're using these corporate data aggregators like CLEAR from Thomson Reuters, facial recognition technology that's on their phones to take a picture of protesters, agitators, suspected migrants, whoever, to do facial recognition in real time, then looking up people's entire background on these data aggregators to develop a profile of people, doing a lot of social media dragnet investigation – but then showing up in the streets in tactical gear and beating and tear gassing and murdering people in the streets.

I think the selective force aspect of counterinsurgency is still very much in play, but their selectivity – who they identify as the bad protester – has expanded pretty dramatically to pretty much any protester. There's still the sliver of people that are groveling for legitimacy and power through the traditional channels, but anybody that seeks any sort of street protest or even the mildest direct action becomes in the realm of bad protester that's identified for targeting and elimination.

I would also say that counterinsurgency approaches to repression are still very much alive and well amongst a lot of local authorities, local and state police departments that have variously tenuous relationships with the federal government. Non-profit

organizations – one example is the Anti-Defamation League, which has taken a very counterinsurgent role against the Palestine freedom movement in terms of gathering intelligence, doing a lot of public relations media work around how they frame this movement, that then gets exploited by the more brutal side of the government when it starts deporting people that have been involved in the protest movement or imprisoning them or charging them for crimes.

So counterinsurgency has always been this contested theory within the state law enforcement and security apparatus. And I think what we're seeing right now is a very uneasy combination of old-school brutality methods and more nuanced, advanced methods of repression. And I think the danger is that we get so focused on the brutality of what we see ICE doing that we start to think that's the only model of repression and we don't see the negotiation, the co-optation, the management, and the undermining that happens elsewhere against our movements.

Isaiah: This is maybe already been addressed, but we're here at SMASHx, which is a counter-festival to South by Southwest, this nexus of technology companies and military. I think one of the things that's interesting about counterinsurgency theory, especially as it was taken up by movements themselves to understand what was happening, is it made these links between the colonial wars abroad, the tactics used to subjugate populations elsewhere, and the same strategies being mobile, these same technologies. And so I'm interested if you could expand – we've talked a little bit about AI, but the way in which thinking about counterinsurgency helps us think about the nexus between technology, warfare, and the repression of popular movements.

Will: A really important thing to keep in mind is historical memory. I think movements are constantly working to remember that ancestors have struggled before and that we are part of a historical lineage and things will come next. America as a social construct is incredibly historically amnesiac. We as a larger society love to forget history, and movements are constantly reminding people of the brutal history and the possibility for resistance.

I don't think that historical amnesia is limited to movements. I think states can also experience historical amnesia. And I think we're experiencing that right now, where if you look at interviews with David Petraeus, who was one of the authors of the Military Counterinsurgency Manual, he bemoans that our strategy has regressed, and we think we can overthrow a regime just by killing their leader and not taking into account the 100 million people that occupy a land area bigger than most states. And that may be true. But the more important question is, where are we going?

When we consider this larger question, particularly in the context of Isaiah's question about technology and AI, I think there's actually some very cool organizing happening where workers are saying, we refuse that our labor upholds genocide in Gaza, we refuse our labor to uphold the surveillance at home. Tech workers revoking their consent, revoking their technology, revoking their participation – that is very cool and

interesting and worth paying attention to. So I would be very curious, at South by Southwest, to the extent that conversation is happening, and how do we support that worker-to-worker organizing to refuse. I think a key lesson to come out of Minneapolis is the refusal to normalize this regime.

And then, as I was saying earlier, care is the antidote to brutality. AI cannot take care of our children. It cannot feed us. It cannot give us purpose and meaning. They might be able to map our movements and communities to some extent, but it has no material basis in reality. Radical politics and radical communities do, because we can take care of each other in the aftermath of climate-change-induced hurricanes. We can take care of each other in the context of fires, in the context of ICE raids. And so that lived material reality is something that is actually beyond the political imagination of our tech overlords right now.

And that is where we connect to this uncommitted middle. Because as conditions deteriorate, as the cost of living goes up, as people experience climate catastrophe, the shiny tech can't actually deliver. But movements can deliver by focusing on the material reality that we all share and building that insurgent care within our communities. I think that's the best answer I have for you.

James: To follow up on that, At no point in my lifetime has there been such awareness — except maybe back in the 1960s and 70s during the Vietnam War, when there was a very strong awareness of the interplay between domestic repression and foreign military occupation and intervention. A lot of people coming back from Vietnam getting involved in civil rights movements, Black Power movements, anti-war movements. But again, historical amnesia of 50 years since Vietnam – we started forgetting about that a lot.

I think it started coming back into the public consciousness in the 2010s, maybe around Standing Rock, and the early iterations of the Black Lives Matter movement in 2014, 2015, when people started realizing that all this military hardware that had been used in Iraq and Afghanistan was getting sold for pennies on the dollar to local police departments. They all started having these super armored vehicles and military-style weapons.

But I think the recent and ongoing genocide in Gaza and Palestine has highlighted this a lot more, as people have started to explore the interrelationship between their local and federal law enforcement agencies and the Israeli military and the training programs and exchange programs between those two.

I think there's sometimes a misunderstanding about what that relationship is. People have this reaction of, "Oh my gosh, ICE is training with the Israeli military, and so those Israeli tactics are being imparted on ICE to come over here and do to us what the Israeli military is doing to Palestine." Some people frame it as this foreign thing being imported into the United States. And I want to reverse that – when these exchange programs happen, it's not just ICE or your local police department learning

from the Israeli military. It's also the Israeli military learning these very American, very historical methods of counterinsurgency and repression that they can then use against Palestine. The exchange goes both ways.

And I think if we overemphasize the role that Israel and the Israeli military has in shaping domestic policing, that's a mistaken analysis of the power. America is the superpower, and Israel is the colonial outpost. People like to say that Israel needs America to fund it, to provide weapons, all this stuff. America needs Israel to pioneer the tactics and the weaponry that it uses in its other imperial adventures and in its domestic policing. Without America's use of Israel, it doesn't have that laboratory. And so not understanding that power relationship and inverting it really clouds our understanding of how domestic policing grows and develops in relation with international imperial and colonial ventures.

Isaiah: We've been talking about different types of globally circulating technologies of counterinsurgency – whether that's literally the technologies of AI, or the targeting tech capacities being used abroad and then coming back home and being used by Palantir against anti-ICE people. We have that type of circulation. We have circulation of technologies of policing – the strategy of how do you police to build legitimacy by creating these fault lines between legitimate protesters and illegitimate protesters. And then we have strategies of governance broadly – how do you manipulate the media?

One thing that we haven't talked too much about, and I'm curious with you here, James, is the legal strategies of repression that we're seeing, that form the current array of domestic counterinsurgency. And then, if we're going to go wild with the word "technology," I would love to hear a little bit more about care and mutual aid – some of the counter-counterinsurgent social technologies we might have access to. What are the forms of relation and care that we see developing or existing in these movements that might actually protect us and build resilience in the face of these various forms of counterinsurgency we're facing?

James: I'll start with the legal mumbo jumbo and then I'll let Will talk about the technological mumbo jumbo. I think one of our struggles right now in this current moment is holding this balance about what is new and unprecedented and a departure from our previous trajectory of American authoritarianism, American capitalism – what is actually new and qualitatively different – but also what is the historical precedence for all of this, because it didn't emerge out of thin air. There's lineages behind this, just as there are lineages behind our movements.

If you spend too much time on the internet, it's really easy to get caught up in the two sides of this. You've got the people trying to be more radical than everybody else: "This is nothing different. Hillary Clinton would be doing everything just the same. Trump's no different than any other American capitalist." There's nothing different at all. And then the other side, that tends to get identified as more liberal: "No, this

actually is different. We have never seen this before. Everything's changing in ways that we've never seen, and there's a qualitative shift." I think both sides of that are right, and you can't appreciate the rightness of one side of that dialogue without really appreciating the rightness of the other side. I want us to be able to hold both – that this is different, but it's also the same, and it's the same because it's different.

To think about the Prairieland trial a little bit and what Lee was saying about the way that the federal government constructed this indictment and this legal case – it largely revolves around the concept of conspiracy and conspiracy liability in criminal law. And the way it's being used right now is relatively new, and its success right now is definitely new. But it's a concept that goes back at least 100 years.

The idea is that if you have parties to a conspiracy – we'll take five people. You've got five people in a conspiracy to do a crime. Let's say bank robbing. So you've got five people conspiring to rob a bank together. The underlying crime is that conspiracy, that agreement to rob the bank. And once any one of those five people takes what's called an affirmative step towards that, then the conspiracy legally is complete. It doesn't matter if the bank never gets robbed. It doesn't matter if they later decide not to rob the bank. Once they've formed that agreement and one person takes an affirmative step – let's say one of the five people goes and photographs the bank to scout it out – at that point, the conspiracy is complete and all five of those people legally could be charged and convicted of conspiracy to rob a bank.

That feels a little silly and it's a bit of an exaggeration because there are some questions about whether they'll be able to prove that at trial, but that's beside the point for the example. Legally, the law says that once there's an agreement and one affirmative step by one person in furtherance of that conspiracy, the crime of conspiracy has been committed.

And then what happens next is that all five of those people are criminally liable for everything that any of them do in furtherance of that conspiracy, as long as it's reasonably foreseeable. And so what this means is that people go to prison for shit that they didn't ever do.

If the plan to rob the bank is that three of them are going to run into the bank with guns and rob it, one of them is going to wait in the car outside to be the getaway driver, and one of them is just at home because he was the scouting guy who went to wear a wig and look at the inside of the bank before the robbery – he doesn't actually do anything on the day of the bank robbery, he's at home playing video games, because his only role was to go scout it out a few weeks earlier. But one of those people that goes in the bank shoots somebody. Now all five of those people, even the guy that was at home the whole time, are criminally liable for that shooting because conspiracy liability extends to everybody in the conspiracy. And that guy – all he did was go wear a wig in the bank a couple of weeks earlier. He knew that they were planning to go in there with guns to rob the bank. And it's reasonable to expect that if you rob a

bank with guns, somebody's going to get shot. So then it's his responsibility also, even though he wasn't there.

This is a legal principle that has been going on for a long time and comes up a lot in the context of the war on drugs, which is 50 or so years old now. Somebody sells a little bit of methamphetamine, but they got it from somebody who got it from somebody who got it from somebody. And so the guy that only sold a couple grams, he knew that he was conspiring with the person who got it from somebody who got it from somebody – and that person is moving kilos of methamphetamine and maybe also kilos of cocaine and kilos of other stuff. And so the person that sells just a little bit of drugs gets hung up on a criminal conspiracy charge for distributing kilos and kilos of drugs.

There's a lot of people, mostly in Black and brown communities across America, that have gone to prison for things that they never did because of this idea of conspiracy liability – that's now being wielded against protest movements.

The Prairieland case is the third really major case where the feds or state authorities have tried out this theory about concocting a conspiracy over being a radical who's present at a protest. I think the first one was probably the J20 protests in 2017 against Trump's first inauguration, where they charged 250 people with a whole bunch of felonies, like inciting a riot, because they were all wearing black clothing at a protest where some windows got broken and a Starbucks got broken. They wanted to charge all 250 people that they arrested at that protest with all the property destruction that a couple of people did. That prosecution failed under its own weight. There was prosecutorial misconduct, withholding evidence. The couple of cases that went to trial – the jury in D.C. just wasn't buying it. So that failed pretty spectacularly for the government.

Then a couple years ago in Atlanta, in the movement against Cop City, they charged a whole bunch of people – they were arrested at a music festival and a protest – with domestic terrorism and RICO charges under the Georgia State RICO law, the Racketeer Influenced and Corrupt Organizations thing, RICO that was meant to target organized crime, but it's for everybody now. That case is still a little bit ongoing but has largely also been failing in the courts for a variety of reasons.

And so then this Prairieland case, in some ways much more dialed back than some of those cases. J20 involved 250 defendants. The RICO stuff in Atlanta had in the ballpark of 60 or 70 defendants. Prairieland involves a dozen or two defendants. They've scaled it back, found the incident that inflamed some passions because there were some fireworks at an ICE facility and a cop got injured in some manner that they say was from a gun, and they raided a bunch of houses and found a bunch of guns in people's houses. And it was in Fort Worth, the worst place in the world. And so they finally, on their third big attempt, they've been able to secure conviction under this theory of conspiracy liability for participation in a protest.

So again, this is something where the legal bedrock and foundation has been going on for hundreds of years, definitely for 50-plus years in the context of the war on drugs, and is now coming to settle on attacking our movements.

Will: All right, I want to finish on Isaiah's question of the social technologies – and maybe we can think about a better phrase for that that's a little less techie. I think that we actually already have a lot of the lessons from the past that we can draw from. A key social technology is our ability to connect to our ancestors and to our movement elders who have come before us with a lot of knowledge to teach us.

For example, there have been several cases where people have collectively organized in the face of these conspiracy charges to reject the good protester, bad protester dichotomy. An example of this is the St. Paul Principles that were used in protests leading up to the RNC in 2008. There was a set of terrorism charges that were somewhat beaten because there was this broad-based community of resistance that rejected these dichotomies and supported people throughout the long term. I think the prior conversation about long-term movement defense is a key part of this – that no one is forgotten, that no one is alone, and that we're all in this together.

And then finally, I think we're seeing a lot of experimentation and innovation about how we resist ICE. And what I think is most interesting is that it's happening on a block-to-block level. People are able to not go to work. They're having the rent paid because we're collectively organizing to make sure that the most vulnerable are being taken care of. And the people that have the ability to be in the street are supported throughout that long process.

So I think these social technologies are things like knowing your neighbor, knowing who is vulnerable, understanding your own risk and threat profiles and what you're willing to do. The answers are all around us. *LET'S FUCKING GO!* And I will shut the fuck up and maybe take a couple questions before we end here.

James: Some closing thoughts. Thinking about the principle that I started with early on – that we cannot avoid repression, and so how do we build our resilience to it. Saying that we can't avoid repression doesn't mean that we don't anticipate it and plan for it. We can't stop threat modeling just because things are very fluid and we don't actually know what will happen or how people are going to react. It's going to be dicey because things are very dynamic right now. Things that once seemed far-fetched and unlikely suddenly seem a lot more likely. But we need to keep analyzing and anticipating threats and understanding how the state is reacting, how the state is fighting to maintain its legitimacy and crush our movements.

We have to inoculate ourselves against the repression. We have to understand what the state is doing and why it's doing it, and know our own movement histories about where we've come from and what has and hasn't worked before and how we can organize to overcome what the state is doing to us.

I think it's really important to think about increasing the quality of our relationships. A lot of social media and electronic communication has really emphasized a quantity-over-quality aspect to relationship building – collecting followers and contacts. But being able to really deepen and build those relationships, because the durability and the depth of those relationships is what carries us through in the moments of crisis and attack.

Also understanding that even as it feels like repression is increasing, it's a reminder that the best time to prepare and to take action was maybe five years ago, but the second best time is today and tomorrow. If things are getting worse, then today is the least repressive time to act. Keep that in mind when we assess risks and plan for our actions.

Finding ways, again, to retake the initiative and rebuild momentum. Things like the Prairieland case are devastating. I think we all have a lot of grief that we're carrying. Those of us that have followed the case are struggling with that. And we need to hold space for that. But we also have to collectively strategize and plan how we can learn, how we can adapt and move forward from that.

And then a short passage from the *Life During Wartime* book that I really like. Kristian Williams said: "When facing counterinsurgency, we need to learn to think like insurgents. The antidote to repression is, simply put, more resistance. But this cannot just be a matter of escalating tactics or increasing militancy. Crucially, it has to involve broadening the movement's base of support."

I think thinking about how repression and counterinsurgency have played out against other communities – in the war on drugs, in the migrant communities along the border, in the war on terror against Muslim, Middle Eastern, North African communities – gives us a lot of inroads and common ground to talk about our shared experiences and develop shared strategies to move forward that aren't necessarily so inwardly focused on our own subcultures, but more broad-based in society. I'll let Will finish the very last piece.

Audience Member: How do we deal with counterinsurgency in organizing communities without fostering factionalism?

Will: What I have observed in my lifetime is that understanding the contours of how the state operates gives us an outline of what we're up against. If in an organizing space you have a nonprofit that's like, "We want to do an organization with the police, we want to kind of fall into this trap," you can say, we have 50 years of history of how that has worked out for us – let's think about honestly what that would mean.

Knowledge is power here. And the second part of that is that we have to build the power to produce new knowledge, and I think that's exactly what we're doing here today. But what counterinsurgency is going to look like in Austin is going to be a little bit different than in Minneapolis, and understanding that there are strategic

terrain differences is also really important. So building those local communities of thinkers and doers and elders and youngsters is a big part of how we do that sort of resistance.

James: I also think that we can't convince anybody of anything if we don't have a relationship with them. It sucks to organize with people that maybe want to see us thrown in the gulag at some point if we don't get in with their program, or to struggle with people that we have real strong political differences with. But we can't move people if we're not in some type of relationship with them. Finding ways to build and maintain those relationships across our differences over time is really important.

Margaret Killjoy said something about the importance of de-escalating all conflict that's not with the enemy. But I think the crucial thing that the quote misses is that we as movements and activists are oftentimes very bad at identifying who is or isn't an enemy, and sometimes start perceiving enemies in many places that they're not, or not perceiving allies in places that they are. That's something that we have to work through and struggle with.

Audience Member: For 40 years they've been working on their plans. The Heritage Foundation was formed in the 1980s, and many of us didn't see this coming. And then all of a sudden it's been a very hectic year, and some of us are getting burned out after already a year. And so I have been wondering, how in the world are we going to catch up? And I think that this is the answer. I think you guys talking to us is the answer. So I've been listening for that answer, and it's starting here.

Will: I think your point about exhaustion is super real. I've been seeing that in my communities as well. And I think that's a really important topic – let's keep talking about that. Because I think we have this idea of burnout and self-care that is something like, "I'm going to drop out and sit in my bathtub and doom scroll." That doesn't work for me. Being here with y'all really works for me. And I think this idea of community self-care, how we collectively engage this burnout, is absolutely important. And in 40 years, I hope we have a better answer to that.

James: And also thinking about the history of our movements and where they're going. This struggle existed long before us and is going to exist long after us. And so there's a question of what legacy and foundation are we going to build for the people that are showing up in five years, 10 years, 20 years?

We all have comrades right now who have been in prison longer than most of us have been alive on this earth, and that's heartbreaking. But it also gives me strength, because they've been in prison for longer than I've been alive, and people have been supporting them in their struggle in prison for longer than I've been alive. What we're facing is terrible, and we're going to take hits and we're going to take losses and it's going to be hard and exhausting and dispiriting sometimes. But we also have examples of people that have kept that fire alive and kept that fight alive longer than we can

sometimes even imagine. And that's what we're building on. That's our foundation. That's what's going to carry us forward.

Organizing Against Surveillance Tech

KYLE (FIREWHEEL), MARINA (AUSTIN DSA, NO ALPRS COALITION), HOFFMAN (CANCEL CAPITAL FACTORY)

"If you're picturing that the fight is to stop the surveillance dystopia before it rises up around us, that's not the fight. The fight is dismantling the infrastructure of mass surveillance that has already been built before it gets its hands around our throat completely."

— Marina

Mass surveillance happens through real material infrastructure — companies run by real people in the same cities as you, local laws, and government agencies. Organizers from the No ALPRs Coalition and the Cancel Capital Factory campaign discuss how the surveillance industry works, who profits from it, and how movements can organize against it.

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Kyle: Hello everybody. I'm Kyle, I'm part of Firewheel. This talk is about organizing against surveillance tech. We've heard a lot about tech and the way it relates to movements and repression in other talks. Specifically, we want to talk about surveillance tech, industry, and mass surveillance in this panel.

I want to start off by defining that a little bit, saying what I mean. When I say mass surveillance, I want to talk about this general material situation that we all find ourselves in nowadays, which is that all of our activity is frequently recorded and monitored and measured somehow throughout our day-to-day lives. This happens on insidious, scary levels. You might think about the NSA, the National Security Agency, and how they just monitor all of our internet traffic all the time. Your internet service provider monitoring all your internet traffic as you're using your computer, reporting things to the government. TSA at the airport keeping track of people's movements, border checkpoints.

But on the other hand, you have things that seem more innocuous but actually can be just as harmful and just as invasive. Think about your Instagram account, keeping track of every person you know, every place you go, every message you send, the things you like to do, the way that you spend your time. Your credit card company keeping track of all your purchases. And this can be a really scary thing. And in particular, there's what one might call surveillance tech, or the industry that is attached to all of

this and makes it possible – people that actually make the tools, the technologies that allow your life to be surveilled like this. So that's what we want to talk about today.

I'm very happy to be here with a few local organizers. We have Marina from the DSA who works on an anti-Flock campaign, and then we have Hoffman from the Cancel Capital Factory campaign, who are going to talk a bit about some organizing they do.

I think one thing I want to frame this with is that surveillance, just like repression, can sound really scary. When you talk about the full extent to which we are surveilled, that can feel really dark and really heavy. People can feel really powerless in the face of that and very confused about how to proceed and move in movement spaces once they really get a sense of how bad the situation is. What I want to bring back down to earth today is that actually this stuff happens through real material infrastructure – companies that are run by real people that live in the same cities as you, local laws and government agencies that do this. There are actually ways to organize against this. This is a political problem, not just for the sake of not being surveilled, but also if you care about movements progressing forward. This is something you need to take seriously and can do something about.

Marina: Hey y'all. My name is Marina, like the boat dock. I use she/her pronouns, and I'm an organizer with the Austin DSA working on the No ALPRs campaign here in Austin. I am also the facilitator of the No ALPRs Coalition, which is a group of over 35 organizations, including the Austin Central Labor Council, reproductive justice groups, and immigrant rights organizations, who are opposing not just automated license plate readers but a lot of different forms of mass surveillance in our community here in Central Texas.

We've had victories in Austin. We were successful in blocking the expansion of automated license plate readers following a pilot program that ran at the city from 2024 to 2025. More on how that victory was snatched back later. But we've also had victories in Sunset Valley, in Hays County, and Lockhart, and San Marcos. What we found is that there is a real organizing appetite for opposing mass surveillance in our communities.

Kyle: Can I real quickly just get you to say – what are ALPRs? What actually is that tech?

Marina: Yeah. Automated license plate readers are devices that are affixed to infrastructure like police cruisers or light poles. What they are is cameras. I think people hear that and they're like, "Oh, it's just scanning my license plate and throwing just the numbers and the letters in some type of spreadsheet." That's not what's happening. They're taking photos and sometimes video footage of your vehicle as you pass by. And the AI capabilities of this technology allow them to make an individual profile of you.

They can make a profile of where you live, where you work, where you go to school,

where you drop your kids off. And that is the data that is being brokered by the companies that sell ALPRs. That's actually their business motive. That's their profit model. We'll go in more depth later.

Hoffman: I'm Hoffman. My pronouns are he/him. I work with Cancel Capital Factory and a bunch of other crap, but I'm here to talk about Cancel Capital Factory, which is a coalition of about eight or so different groups and a bunch of people who just care about trying to keep big tech in Austin from spying on us and trying to separate big tech from the Israeli and American defense machines.

Capital Factory is basically a startup accelerator. It's been the most active investor in the Texas tech scene since about 2013. A lot of people got involved after the effort to kick defense contractors out of South by Southwest, which was semi-successful, which we can talk about more later.

Kyle: The first thing I want to get into is what companies are actually doing this and what is the relationship to this city, the actual city government here, the state government in Texas. Who are the companies making these cameras, interacting with Capital Factory? How do they interact with this city and the people in it?

Marina: To start my answer off to this question, I want to explain that tech companies – surveillance companies, but really tech companies – there are two main models that we're talking about here. Either you sell or rent hardware, or you are a data broker. If you're a data broker, what that means is you harvest data and then you buy and sell the data to marketers, to law enforcement agencies. If you're a data broker, then your business model often has to involve some degree of misleading the public, because it would be your express preference to be able to circumvent the need to obtain the informed consent of the people whose data you're brokering. You don't want to have to ask their permission to sell their data, to harvest their data.

Whenever we're talking about the ALPR companies as data brokers, that's who we're talking about. Flock Safety is a data broker and their mission statement is to "eliminate crime," which as a student of the civil rights movement is bone chilling to me. I think there is no such thing. Crime – I've learned – is not harm. Harm is separate from crime. Crime is defined by whoever is in power. Harm is something that actually hurts people. There are a lot of behaviors that we categorize as crimes that are not actually harmful to other human beings or to life. And there are a lot of things that are harmful to other human beings and to life that are not categorized as crimes. That definition is very negotiable. And police can really put their hand on the lever of crime statistics and make them say whatever they want them to say.

So you've got Flock Safety, you've got Axon – these are the main ALPR companies operating in Austin and Central Texas. But I also want to flag that we've got a lot of mass surveillance companies operating here, or who are a part of the apparatus of mass surveillance. You've got Ring cameras that are collecting your data. If you've

got a vehicle that's made after a certain year, your vehicle may be collecting your data and basically referring it back up to the corporation so that it can funnel into these pipelines of data being trafficked around for profit. There are so many different highways of data – it would be really, really difficult to come up with a comprehensive list. I am mostly going to be talking about Flock and Axon, though, so I'll leave it there.

Hoffman: I think one of the difficulties of conducting research for the Cancel Capital Factory campaign in particular has been that it is so hard to come up with a definitive list of what Capital Factory actually is. Because it's a startup accelerator, whatever that means. There's things that are directly in the building, like Valkyrie, that the city of Austin proposed contracts with that failed luckily due to the work from organizers. Things like Live View Technologies. And then there's more things that are on the periphery of Capital Factory, but I'd still consider part of it – big names like Palantir, BAE Systems, Northrop Grumman.

Part of the difficulty is just creating those red string maps on your wall trying to figure out how everything ties in together. Part of our system at Cancel Capital Factory has been having an anonymous tip line open for people who work within the system, just trying to get as much information as we can. But then also fighting contracts on the local level is super important.

Kyle: I think it's really important to acknowledge the way that a lot of these companies interact with things all across the U.S. and the world globally. This is part of the deal with Capital Factory being an amorphous thing sometimes. Palantir, for example – there are people that work at Palantir here in Austin and they recruit here in Austin. They're also building the surveillance tech that ICE is using to capture people's faces when they're crossing the border, and they're building some kind of immigrant list or whatever they're keeping track of, keeping track of faces of activists. These companies really have their hands in all kinds of pots once they're large enough.

Hoffman: If I could cut in – they're building it, but by the time that they've built it, it's already being used on people not here. All this stuff has been tested on Palestinians. Haven Aerotech and Finidome, which are both Capital Factory companies – these are two hardware manufacturers that use their technology for genocide. And now they come here and it's being pitched as border security technology. So it's very linked.

Kyle: So I guess the next thing I want to get into is how do these companies function. Something like Instagram monitoring your internet traffic makes sense – they're selling ad revenue or whatever. But how does someone like Flock or Palantir actually make money? What are their financial incentives for doing this? Who are they connected to financially?

Marina: I think one thing I want to describe here is that there's a good example in looking at the pipeline for how this is being weaponized against the immigrant

community right now. Folks using social media platforms, driving around in cities that have automated license plate readers, buying and selling things on the internet – this data all gets harvested by data brokers and then funneled into contracts between law enforcement agencies and data broker companies like Flock.

A law enforcement agency like ICE, for example – in Minneapolis, they're using this app called Mobile Fortify. What it allows them to do is take all of this privately collected data and use it to locate undocumented people and identify people using facial recognition technology. But it isn't literally, at this moment, just undocumented people. Obviously U.S. citizens have been targeted by ICE – there's been a whole host of problems there. But there are also activists who are watching ICE. I've read multiple stories and heard multiple stories through the work that I do about folks doing ICE Watch in Minneapolis where an ICE agent will pull them over and then call them by their first name and recite their home address to them, and then make vague threats about following them home or about seeing them at home. So this is happening right now.

If you're picturing that the fight is to stop the surveillance dystopia before it rises up around us, that's not the fight. The fight is dismantling the infrastructure of mass surveillance that has already been built before it gets its hands around our throat completely.

The moneymaking happens at the point of data collection. But one point I want to emphasize is that companies like Flock do not make the majority of their profits through contracts with municipalities like Austin or the Austin Police Department or whatever counties they're interfacing with. I've read stories in journalism about how Flock would set the dollar value of a contract with the municipality at five dollars below the threshold at which it would have to go to a more public process, in order to avoid more public input. They do that because they do not care about the money that they get through those contracts – it's incidental to their bottom line. The overwhelming majority of their profits come from the brokering of data collected through automated license plate readers.

We really just have to understand that our data, which belongs to us and should be our property and which we should have some domain over – if not exclusive domain over – that is the product. That's what's being bought and sold, and it's being used for incredibly violent and nefarious purposes already.

Hoffman: When we get up to larger defense contractors, then government money can start mattering a little bit more. But I definitely agree that it's mostly about selling your data, especially at the municipal level. Capital Factory has secured over $500 million in government contracts so far. That's maybe small potatoes for the government, but not to a lot of these startups, so that's significant.

There's an obvious monetary profit for these private companies. But for the government, thinking about how they're profiting – it's definitely the effects that we see all

around us. It's actually having that data, having these lists. We're talking about automatic license plate readers – license plates are a really key feature of how we're being surveilled right now, not just in terms of immigrant justice but also trans rights. License plates, driver's license numbers – that's how the Texas DPS has been keeping track of people who have applied for gender change markers on their ID. And then there was recently a Flock camera put right outside of Kind Clinic, which provides gender-affirming services to people in Texas. So there are lots of linkages between all of that stuff.

The other way in which the government benefits is that their goal with surveillance, in my opinion – and also a comrade from Palestinian Youth Movement brought this up – the goal is self-censorship. The goal is to get you to censor yourself, because you don't even know how you're being watched. You're afraid. I think we need to combat that as well.

Kyle: We've already touched on this a bit, about how this impacts different groups. Could you guys speak a little bit more to the impacts of the surveillance on different kinds of people? We've already talked about Palestinians, one of the most surveilled and controlled groups in the entire world. Queer people in Texas. Immigrants across the country. How does this tech in particular affect different groups of people? What are some big examples in your mind?

Hoffman: The tech comes for us all eventually. It's just about who is it used on first, who is it being tested on. This tech has been used on not just Palestinian people in Palestine but Palestinian people in the U.S. since the 60s. Those were some of the first cases about surveillance – the origin of a lot of modern American Islamophobia comes from the surveillance that was being conducted against Palestinian activists in the 60s. So this has been going on for a while.

And then of course, pretty much any leftist movement – there's going to be a hell of a lot of surveillance. One of the difficulties with the research around Cancel Capital Factory, just trying to pick apart how all these private and government entities are connected, is that they're very incestuous, for lack of a better word. There's always a former DOD or NSA or CIA person on every board of these companies, and they just flip back and forth between government agencies and private companies. It's very locked in.

Marina: It's like – there's a reason why we keep invoking the "First They Came For" poem. You target a marginalized community who has been scapegoated, like the immigrant community. The immigrant community has been scapegoated for real material problems that working-class people face because it misdirects people's energy away from corporations and billionaires and the people who are actually at the heart of their problems.

We're seeing right now all the devastation being meted out to immigrant communi-

ties because they are a target that many Americans will accept. They're a target that many Americans will wave away and say, "Well, I don't really care if it happens to them." That honestly is at the heart of a lot of what we're dealing with. I don't think there's any pathway to this moment without the mass scapegoating of immigrants and undocumented people in this country.

But I also want to talk about how mass surveillance is already being weaponized against lots of different communities. Hoffman's point about the trans community, about LGBTQ folks – that's bone chilling, having an ALPR deliberately set up right outside of Kind Clinic.

There's also a case out of Johnson County where local police searched ALPR data in states where abortion is legal, looking for a Texas woman who allegedly self-managed an abortion. They swore up and down whenever this story went public in the media that it was at the behest of her worried family, and that there was no intention of prosecuting her – it was just that they were worried for her safety and her physical well-being. Thanks to the Electronic Frontier Foundation doing FOIA requests, the real story broke. It turns out that the police report they had made public at the time of the original story was fabricated by the police to cover their tracks, because they actually were searching for her with the intention of prosecuting her in relation to the abortion. It just turned out there wasn't actually any standing to do that under Texas law at the time. So they had to kind of say, "Oh, shit, we shouldn't have done that."

And on top of that – content warning for violence against women – the "worried family" alluded to: there was no worried family. There was only her abusive partner, who held a gun to her head the day that she took the abortion medication and made her beg for her life.

We're seeing how basically just vulnerable people all across the spectrum can be targeted by these things. And I think this is the thing that I would really like for people to take away: mass surveillance is incompatible with democracy. You can't live in a democracy where mass surveillance is a feature of the society where you live. It can be weaponized by whoever is in power at the time. If I could give you any takeaway to go home with – mass surveillance is a tool to serve the agenda of whoever is in power at the time.

Kyle: In what you said, you brought up a really important point, and this ties back nicely to an earlier talk about how part of the problem with the Prairieland trial was not just what happened in the legal system but also with the jury, and the scary fact that 12 people outside of Fort Worth decided that those people were guilty of what they were being accused of. That means there is a real need to do political work, education, social work, change our culture and our society.

Your comment touched on a really important face of this that I want to ask you both about, which is that this mass surveillance is often justified in ways that are pretty clever and well placed. Safety is a big one. This is constantly the narrative around a

lot of mass surveillance – that it's keeping you safe. Ring cameras are a great example of this. It's going to stop people from taking your packages off your porch. If something happens to you outside your house, it's going to be on video. If someone breaks in, there's an alarm system and there's video now. And it's justified to you as this thing that is actually making your life better, keeping you materially secure. I would disagree, as you can all probably imagine.

But I'd be curious what you guys would say to someone that has bought into this narrative, because I do think this is a real way that we end up with mass surveillance. If we think about the Ring camera, whole neighborhoods in Austin are just filled with cameras. They're all connected together. That data is not very securely stored. And even if it is, it is controlled by people that want to use it for nefarious stuff.

I don't know if any of you saw that the Super Bowl ad with Ring and Palantir or some other crazy company, where they're bragging about finding people's dogs. They're going to find your dog if your dog gets lost using automated image recognition technology that tracks between every single Ring camera in your neighborhood. That also means if you're walking around your neighborhood, Ring, Amazon, Jeff Bezos can know exactly where you are at all times. That is pretty horrifying. But again, it's justified as safety, security. So what would you guys say to someone that maybe buys into that or is trying to spin that narrative?

Marina: I think this is where we have to ask: what does it mean to be safe? Because we've allowed our enemies to define that for us, and we have to rewrite the narrative.

I think we also have to question what violence is, because violence isn't broken glass in Ferguson. Violence is evicting people from their homes and incarcerating people. Violence is taking away the things that people need in order to live. I think the conflation of property damage with violence is a big problem that it would be great for us to do a lot of political education on.

Safety is something that – I will say, I think the left pooh-poohs conversations about public safety in unhelpful ways sometimes. Because people deserve to be safe, actually. People deserve to have parks where they can go with their families. And I think that we really need to engage in this space, because when we don't, our enemies do, and then their narratives are the prevalent narratives.

Flock cameras, surveillance cameras don't create safety. What they do is create surveillance. And surveillance doesn't stop either crime or harm. It just relocates crime to less surveilled areas, often in the same city council district or the same neighborhood – just shifting it around.

When we're talking about what it means to be safe, I think it means living in a community where people don't need to resort to acts of crime or harm in order to make ends meet and get the things that they need. A society where people can access health care and it isn't a pay-to-play system. Where people have housing that is high-quality

housing that they have some democratic domain over with their neighbors. Work that is dignified and has good wages and where they're not being subjected to unsafe working conditions and abuse, which are extremely prevalent.

Just one little note I'll make here: dollar for dollar, wage theft is the most common form of theft in the United States by far. If you stacked up every dollar stolen from workers in the form of wage theft, it would dwarf every other type of theft combined. So where's the police force looking for bosses who are stealing from their workers? This is what I mean when I say that our enemies have defined what crime is for us.

I just really want to emphasize – if we're serious, if we're really engaging in a conversation about what it means to be safe, we have to do the work to help people understand how surveillance does not get us there. There is a robust body of decades-long research and journalism and studies, all kinds of things showing that what creates safe communities is access to resources and investment in the things people need to live.

Hoffman: If I'm to speak incredibly, incredibly pragmatically – I think in Austin, the job of changing hearts and minds is often changing the hearts and minds of pretty paranoid, wealthy liberals. I think Capital Factory itself has actually recognized that, which is why they constantly use social justice language to defend their projects. They're like, "Actually, diversity includes the military, y'all. You're not listening to defense contractor voices." I'm not making this shit up – this is actually stuff they say.

They recognize the value of the liberal fence-sitter in this entire equation. And if I had to talk to somebody who I didn't have a lot of time to monologue to, I might just go for the old liberal truism that people who will sacrifice their freedom for safety deserve neither.

Kyle: And I guess now what I want to get into a little bit is, tying this back to movement work and repression – a lot of ways that surveillance happens. How does it actually impact organizers, people in social movements? How does it affect social movements? How do these companies that you guys talk about and think about actually interact with social movements? Can you speak to that a little bit?

Hoffman: I think what I mentioned earlier from Lena, from PYM – the self-censorship aspect is a lot more destructive than we give it credit for. I think we simultaneously over- and underestimate surveillance. We stop ourselves before they even stop us sometimes when it comes to surveillance. And then I also think we underestimate how powerful it really is.

A way I've interpreted this: I see people protesting sometimes, people posting protest photos on Instagram, and I'm kind of like, dude, it's a little too late for that. They have halo cams all over the city. They already have your face if you're at a protest with your face uncovered.

But then also, people let that fear stop them from showing up, which is the point of the surveillance itself. People have varying levels – your mileage may vary. I, as a

white person, and I'm documented – I can show up to protests and do a lot of stuff that somebody with a different positionality might not be able to do. As previous speakers said, just checking in with yourself and thinking about what you're actually willing to risk, and looking at what the state is doing right now pragmatically. They arrest us at protests. I don't know, they haven't knocked on my door yet.

Marina: Mass surveillance is the single most indicative distinguishing trait of tyrannical regimes. Why is that? Why is it that a real dictatorship, a real tyrannical regime, can't really function without mass surveillance? I think the reason is that what we're talking about when we're talking about a real tyrannical regime is control – state control of people. A fear relationship has got to be embedded in that.

What does it mean to know that the state can throw you in jail for having a box of zines, for these really trumped-up charges? Maybe you're willing to take that risk, but how much harder does the organizing ask become? How much harder does the organizing ask become when you're hitting up your neighbors, hitting up your coworkers? You're asking your coworkers, "Hey, we need to form a union because the working conditions here are untenable, unacceptable, unbearable." And that's already such a huge risk, because you're asking people to risk their jobs. But if you're making that ask in a workplace that's highly surveilled, then they're going to be like, "What are you talking about? Get away from me. Stop talking to me." It's so much more difficult, because then you have to circumvent the surveillance as a baseline in order to do the work.

It just creates a lot more fear. And that is the point. The ultimate purpose of all this surveillance – it's not just to catch you when you do the thing. It's to stop you from doing it in the first place. It's to make you so fearful of consequences that you're not even willing to entertain the idea. And that's not just about the people in this space. It's about the people who are specifically not in this space because they haven't been activated yet, because we haven't organized them yet. Are we going to be able to get them to cross that gap if they're living in a police state? I think it's a much harder ask.

Hoffman: And that's why it's so important – if you can do the thing, you must.

Kyle: I think one other point I want to add here is that there's this concept people talk about, the panopticon. It's a very old idea, but it's the idea of how you might surveil a jail in a way that you have hundreds of people in the prison cells and maybe one guard. The idea behind the panopticon is it's a way to do this by making everyone think they're being watched all the time and obscuring who's watching so they can't know. It fundamentally creates a gap between the knowledge of the people in the cells and the watch guard. What this does is make people police themselves, as we're saying right now.

A really important thing about local organizing, understanding these companies, understanding the tech on a technical end, is that they can do a lot of scary things, but

their capacity is not infinite. Oftentimes their limits do just get shown. We heard earlier, I think in the second talk, about how people that study our movements frequently comment on how it's actually hard to know what's going on. We actually do a pretty good job in a lot of movement spaces of avoiding surveillance. Or some awful tragedy happens, there's a mass shooting, and you look in the news – they have a little bit of grainy footage of the person, and this makes you realize for a moment, yes, there's Flock cameras everywhere, but the cameras aren't everywhere yet.

They really want you to believe that. They want you to think deep down that every time you type on your phone, every single word is going straight to an FBI agent that's reading it. That's not true. They only have so much capacity. This is again a really important reason to work on these material campaigns and think about this stuff.

I guess this leads me to my next question: knowing all this, knowing the things you know, what keeps you going? How do you proceed into movement spaces knowing this stuff? How do you talk to the people that are afraid and want to confront this stuff? How do you think people in movement spaces should push through the fear that they try to generate with this technology?

Hoffman: What you're talking about is so important – not letting them obscure themselves. With the panopticon, you don't know who's watching you, but at least thus far, we actually do know who's watching us, or we at least know who's owning the companies that are watching us. As you stated in the beginning, they've got names and addresses, man.

When we're outside of Capital Factory doing a chant, we have a chant that says – Josh Baer, who's the CEO of Capital Factory – "Josh Baer, your money kills, go back to Westlake Hills." And then we have one that mentions the street he lives on, which is Cortana Drive. It's just reminding these people that they're not immortal. It's not some Wizard of Oz situation where they're behind the curtain and we can't see them. We know exactly who they are, and we're not going to let them have a moment of peace.

Another thing that brings me hope is something I mentioned earlier – they're always using social justice language to try and excuse their actions. Whenever they release some sort of statement being like, "Well, South by Southwest won't put us on their website anymore, and that's actually really freaking offensive and not very diverse of them, not very DEI." That lets me know that they care about how they look to progressive people, which is a really shitty position to be in if you're Capital Factory, because you're literally profiteering off of a genocide.

The more people that we can make aware of Capital Factory and their associated companies' wrongdoing, the better. They moved to Texas for tax shielding purposes and shit like that, but they also moved here because they think we won't do anything about it. I'm going to be honest – I've grown up in Austin my whole life. We do have a little bit of a work ethic problem sometimes. I want to make sure we can all

get activated and angry about this and show them that we're actually not going to go down without a fight. We're not conservatives. We're not lazy. We're going to make it absolutely fucking miserable for them the entire time that they're here until they leave.

Marina: I think a lot of it for me is about doing the work. A big part of the No ALPRs campaign is about an active resistance against this mentality that we all kind of know that we're being surveilled. We all kind of know that there's some tricky stuff going on with our phones, because you talk about something and next thing you know it's being advertised to you. We know that there's some weird nefarious connections afoot, and we just kind of throw our hands up: "Man, but what can I do about it?"

This campaign is about saying no, you can do something about it. We can engage in collective action the way that we have around so many other issues across space and time, and we can win.

When I'm thinking about what keeps me here – arming the community with tools. There's an app called DeFlock where if you see a Flock camera, you can enter it into this app so that we as a community can know where the Flock cameras are. If we need to trace routes to avoid them – if I need a route to work or a route to a place I've got to go, if I'm undocumented, whatever the situation is – I can do that.

It's also about reasserting this dynamic between the public and the government, where the government is supposed to operate in public and we are supposed to be able to have private lives, because mass surveillance inverts that. It's something that is deeply and widely felt in America. Americans do not actually like to be watched and surveilled. I think that's true across the political spectrum. As a socialist, I'm always thinking about what are the issues that unite the working class. And I'm really hopeful about the possibility of campaigns like this to bring people together across party lines, which I think is absolutely necessary.

I know that's not something that everybody can safely do. It's not something everybody's going to want to do. And if you don't want to do it, I think that's fine. But people like me – I can talk to some libertarians and be like, "Hey, what does it look like for us to organize together? Because you guys don't like this. We don't like this. How do we build power?"

I think this is a big part of shattering the illusion that it's in our best interest as working-class people to keep playing into this two-party system that isn't really serving everybody. We have to unite as the working class against the billionaire class who are profiting off of these kinds of mass surveillance apparatuses and numerous other harms. There are a lot of intersections here. Any issue you care about organizing for – that issue becomes a lot harder under a surveillance state. Resistance to that is something that could actually unite us in bigger ways and create new relationships and new avenues of communication between people across party lines, across whatever, so that we can focus on the things that we need in order to win a better world.

I actually feel really – to me, this is some of the most meaningful organizing work I've ever done in my life, and I'm really grateful to be doing it, especially at a time like now.

Kyle: The last thing here is: we can do it, we have to do it — organize against surveillance tech. We have to take this seriously as a political issue that we organize around and against. We have to work very hard, as you said, and clearly all this will take a lot of work, but one wants to work smarter, not harder. In terms of strategy, what kinds of campaigns do you think will work?

Marina: Let me back up to something that I know we wanted to talk about, which is what happened after the No ALPRs campaign defeated the return of ALPRs here in Austin. By the end of 2025, we had worked with city council and followed up and stayed in communication to make sure that every single ALPR camera from Flock had been removed from the city. So it was this huge win. We felt really good about it. And we felt more solid than ever that even if city council tried to bring ALPRs back for a vote, we would be able to defeat it, because there's this inertia problem – it's like, "Well, then you guys have to put them all back up everywhere."

Then this year, we started to see ALPRs popping up all over the city again. And we were like, what the fuck? It turned out that it wasn't because of the city of Austin. It was because of DPS – the state. The state started putting ALPR cameras all over the city of Austin in defiance of what the public had expressed and demanded and enacted through our duly elected representation here, and basically circumvented the wishes of the public. We saw very nakedly that Flock just does not care about our desire for public safety the way that we envision it.

So now we were like, okay, a group of progressive organizers in Austin can have some influence over city council, but the state – that's a whole different ballgame. We're taking the fight to the state. I think we're still envisioning what that looks like and what that means. And it is going to mean organizing across party lines, definitely. There's no way to win at the state level, I don't think, without doing that.

The kinds of tactics we talk about – it's going to be policy organizing. Maybe we're going to try to amend the state constitution, but you've really got to be thoughtful about stuff like that, because you don't want to regulate automated license plate readers. If you regulate it, then you enshrine its use. You want to end the use of these things. You want to shut it down. Exactly. So we're going to be doing some sword-fighting at the Lege, I guess.

But the other thing I'll say is: if you're not really into that kind of policy campaign, I think that's fine. There are other ways to fight mass surveillance. One thing we've talked about in DSA is doing another door-knocking campaign, because we door-knocked against ALPRs when we were trying to pressure city council. What if we did a door-knocking campaign where we knocked on everybody's door who had a

Ring camera and gave them accurate information about the implications of that, and tried to do a little community education in order to persuade people to take their Ring doorbell cameras down and get a different kind of product? That could open up some really valuable conversations about what public safety means. And it's also an opportunity to build power with our neighbors. This thing we keep talking about – relationships are the unit of power we traffic in as organizers. If you are serious about any of this work, about trying to change the world, change the state, it starts with relationships. I can't emphasize that enough.

In DSA, I'm always meeting people who join and they're like, "Whoa, I love it, I want to be here all the time." And I'm like, "Don't stop going to chess club. Don't stop going to church. Don't stop going to all the little places that you go, because those relationships that you cultivate – that's part of the power you bring to the space, and we need that."

I'll leave it there, but I think there are all kinds of tactics – tactics we haven't thought about yet. And if you're interested in this work, we'd love to have you on board. It's going to take all of us, but as Kyle said, we have to do it. We have to win.

Hoffman: Yeah, to state the obvious, these cameras are physical and they're in physical spaces. So, do with that information what you will, I guess.

I do think that policy can be useful. Last legislative session, I do work within the machine as well sometimes. I was working on trying to make it so that essentially the state couldn't make it so that saying "Free Palestine" in school is an automatic bullying or harassment thing. That's part of Texas Education Code now, unfortunately – I was not successful in stopping that. But the most success I had was indeed working with less-than-savory libertarian types. In Austin, we mustn't forget that Alex Jones got his start on public access here, and we may be able to find some unlikely allies there in terms of policy.

But I think direct action is going to be really important, and also to a slower, more glacial degree, cultural change. It's not just the Flock cameras that DPS has. It's also these LVT systems where all the data might be privately owned, but all the data goes through a federal fusion center, which can be accessed by ICE whenever they want.

I think just refusing surveillance culturally is also going to be really important. And just like you're saying, it can be cross-cultural. You don't need to be an anarchist, communist, socialist, or whatever to oppose surveillance. I wish you would, but you don't need to be. You can love InfoWars instead. So just trying to spread the word – whether someone is a Clintonite, a Jones fan, or one of the lovely people at Barrett's too – for it to be undeniable that you are being watched and that is not a good thing.

I think also exploiting the double-edged sword of Texan surveillance law. We have third-party consent laws here, which means that you can be filmed without your consent. Essentially whenever anybody wants to – it doesn't have to be a camera, it can

be just another person. I think watching the watchers back is really important. That's why we do research. That's why we film cops. And just trying to make sense of the red string we've been drawing around this whole crazy system of surveillance – it's all going to be important.

Kyle: I just want to think about this a little bit. These are companies that have profit motive. Ultimately, if we live in a society where there is money to be made off of surveilling people, someone is going to try to surveil you. That's just the fact of the society in which we live. Similarly, just like the way you can try to regulate police behavior, but fundamentally police violence – racialized police violence, gendered police violence – is just necessarily the function of police. It is an inevitable consequence of how the police function. A lot of the surveillance stuff is an inevitable consequence of the kind of justice system that we have in this country and the way our governance works.

Thinking about how power works, how our government works, how these companies work is an essential thing. We have to do that. We take that very seriously.

New Walkouts & Encampments

Student Movements and Student Defense

KYLE (FIREWHEEL), DAVID & KENNY (DARE TO STRUGGLE), MORGAN (ALG)

"Fascism is nothing without lies and fear. Educated, brave young people are very dangerous to fascism."

— Morgan

Across Texas and the country, students have played a pivotal role in the current movement arc. We have seen that students face unique challenges when they mobilize — from criminal charges to expulsions. A movement lawyer advising students in disciplinary hearings and organizers with Dare to Struggle, working to support high school students facing repression, discuss how students win when they get organized.

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Kyle: Hello everybody, I'm Kyle from Firewheel. This is about students and student movements. Obviously student movements are a really important part of the general political ecosystem in the U.S. and really the whole world. More recently, we've seen high school walkouts here in Austin against ICE and ICE's activity and all the brutality with that. A few years ago, the student encampments to stop the genocide in Palestine were a huge phenomenon across the country. Students are always involved in social movements. They play a very important role in this political ecology of the U.S. and the world more broadly. I've got a few people here to come talk about that. We've got someone from the ALG, a lawyer who's worked with students, and a few members of Dare to Struggle who have been involved in student movements.

David: I am David with Dare to Struggle. Dare to Struggle is an organization that aims to unite all who can be united against the American nightmare. We are a national organization with nine chapters across the U.S. and we operate under the principle of "from the masses, to the masses." That means meeting people where they're at, finding their most advanced ideas and propagating them amongst others to carry them forth and fight against their oppressors. Here in Austin we've been focusing our organizing efforts against police brutality and ICE terror, and this often takes the shape of finding people who are directly affected and connecting them with others who are going through the same injustice, all to build a mass network of support, unite people to confront our oppressors, and push for our demands to be met.

Kyle: Can you speak just a little bit to your relationship with student movements and the work you've done there?

David: Yeah, absolutely. Our student movements grew out of our wanting to continue the mass surge of protests back in January following the murders of Renée Good and Alex Pretti. We called for nationwide protests and we knew we had to strike when the iron is hot and demand that these killer ICE agents be jailed. Unfortunately, cops and politicians time and time again protect these killer ICE thugs, and we did not want to have this movement die down. We wanted to continue the momentum all through the spring and into the summer, so we started a campaign called the Spring Surge to Melt ICE, and one of our first national days of action was national walkouts. By this time schools around the country were already walking out and it was really easy to organize with students and go in there and provide our leadership.

Kenny: Yeah, so with the student walkouts, we called them on February 13th. Students were already feeling the momentum. A lot of them wanted to make moves with each other in a coordinated way. On the 13th, thousands of students across the country walked out. Our initial count was about 1,500, and that was a very ungenerous count – every week I'm reading more about hundreds of students who walked out on February 13th.

Basically what we did was make the call during a height of energy. And we saw more students getting involved and walking out. Then we saw students get repressed from walkouts that had occurred before and walkouts that occurred on the 13th. And we thought to ourselves, this can't be the end of it for students. We can't let them face these consequences alone. So that brought us into our next phase of this plan that David was referencing – it's called the Spring Surge to Melt ICE – and it was about how do we support people who have faced political repression when they stand up for what is right and against ICE.

From there, we mobilized students across the country to condemn the repression that their peers had faced, specifically here in Texas. Down at East Central High School, about 30 students walked out. Their administrators were first in support of the walkout. They said, "We aren't going to stop you." And then they started to threaten their academic records with suspensions and other punishments. Students were really brave. They stepped forward anyway, and 30 of them walked out.

According to a parent who we're in touch with, the day of the walkout she picked up her kids from school and the administrators were like, "Everything's fine." Apparently the school board and administration decided it actually wasn't fine and hit two students with expulsions, hit a student with a 45-day alternative disciplinary school punishment, and the rest with out-of-school suspension to be followed by in-school suspension.

Rapidly and vehemently they were like, "This is not for political reasons" – though

we know that Greg Abbott had effectively threatened schools that allowed students to walk out regarding this anti-ICE cause. So that's where we are now. We've gotten the expulsions walked back through applying political pressure in the media. This was taken up by everything from the New Yorker to local news sources and a lot of alternative media. We went with other organizations, students, and their families to confront the school board and say, "This seems really politically motivated and you need to expunge these records and roll back these punishments. It's unacceptable."

We also were looking into lawyers to help us out because this is politically motivated – kids do have freedom of speech even when they're in school. It's really slow going, but what worked kind of immediately was going and making a stink about it, and that was really effective.

Other students took up the call to support these students at East Central. Other students here in Austin faced physical assault from administrators and threats when they were walking out. There's evidence of bruises on people's arms from administrators trying to desperately stop kids from leaving campus, which is another conversation.

We also had students who were visited by local police departments who were intimidating them, saying they needed to question them on counts of domestic terrorism, which is insane and so scary. An administrator here in Austin, or maybe a little north of here, actually allowed a student to be questioned by a local police department about this, and that's outrageous as well.

We're seeing this across the country with mass suspensions for walkouts, and so we've taken this up. We're probably going to need more walkouts, and people will probably walk out again. Students have been on the cutting edge of social change for decades in this country, so we need infrastructure to support them when this happens.

This began a network called No Tenemos Miedo. It's of students, for students, who are connected across the country so when one faces repression for an action in one place, others can be mobilized in other places. We've seen a lot of success with this and we've also seen kids wanting to continue beyond these walkouts. This upcoming week there's going to be a national week of action that students from San Antonio to Southern California to New York are taking up in solidarity with each other. They planned this with each other. Moving past this repression into further action and really creating a culture of "we're not going to let this repression stop us."

Morgan: I'm Morgan. I'm a defense attorney, a public defender. I live here in Austin, but I work on the border by day. I am also a member of the Austin Lawyers Guild. I'm a volunteer, and I'm right now co-chair of the ALG.

I was involved a little bit with ALG when I was a law student. ALG is a local chapter of a national organization called National Lawyers Guild. National Lawyers Guild was founded as the first non-segregated legal association in the United States and has evolved over time. A lot of what we do as volunteers now is that we provide legal

support to activists – whether it's people calling our hotline or emailing us saying "I'm planning an action, I need to know my rights, I need to know my risks," or showing up as legal observers to uprisings and actions, or providing pro bono attorneys to activists who are facing repression at the hands of the state via arrests, charges, or in this case, student disciplinary proceedings, which is what I wanted to talk about a little bit today.

I wanted to give a little backstory of how I became more recently active in the ALG. On April 24th, 2024, my girl Rhiannon, who is in the audience – shout out to Rhiannon – she called me at 2 p.m. on a Tuesday when I was working from home at my laptop. She was like, "I need you to come to campus. I'm about to get arrested." And I was like, "All right." I didn't realize it because I was kind of locked in, starting to get some text messages on my phone, but the students at UT had tried to start an encampment and got really brutal backlash from Greg Abbott, who deployed his goons, the state troopers, to go brutalize students, staff, and faculty at UT.

I rushed there with my little neon green legal observer hat, and there were a bunch of law students who were not connected with ALG whatsoever but had organically organized themselves to be legal observers and had taped legal observer signs to clipboards. I was like, "Let's go." They didn't need my help at all. They knew what they were doing. They were incredible.

It was a war zone, y'all. The troopers were riding their horses into crowds of students, slamming students' heads on the pavement. Rhiannon did get arrested that day. People were watching on the news – y'all might have seen that they took out a cameraman and he had to be hospitalized, a member of the press. It was a really chaotic day, and it didn't end there.

A lot of the students who were arrested that day ended up facing disciplinary charges at the school. Some of them were put on plans where they had to basically promise not to get in any trouble or do anything against the rules or they would face automatic suspension. One student who was really scapegoated as the leader was suspended from UT campus for 18 months. He was banned from his community on campus. Those proceedings and processes were really scary to the students.

Because it was April 24th when this happened, they kind of went throughout the summer and they did not get a lot of support or help from the legal community. Me and another law student who was helping organize the legal observers, we kind of just looked at each other. And I don't know if we spoke it out loud, but I have now interpreted it as a pact between me and her to do everything in our power to make sure we're providing much more support and assistance – that we're building the capacity to provide more support and assistance to young activists in our community. Because what we saw that day was a community who was not prepared to support an uprising, and a lot of students having to navigate really scary, unfair, fascist systems on their own, being taken advantage of without an adult to guide them through those things

or protect them.

That doesn't sit well with me. So since then, we've been trying to build up our capacity in different ways to be there for students, and I'm proud to say we've made some progress on that front with a lot of help from the students that we work with.

Kyle: I wanted to ask you about something to situate this in the context of the other talks. As we speak about these really big global movements – the movement to stop the genocide in Palestine – I'm curious what your thoughts are on the historical role of student movements. What role do students play in social movements? And then also, what role do institutions like schools and universities play, maybe in a rising fascist country?

I think just to nod to this a little bit – right now, if you look at how the politics at UT are changing, it is changing very rapidly and certainly has something to do with the general right-wing wave that is happening in this country. If y'all could speak to that a little bit, your thoughts on that.

David: Yeah, looking back throughout history, students have always been on the cutting edge of movements, and they've always been correct in their righteous stance, either in rebelling or just speaking out for what is right.

As far as modern-day school institutions go, it is the ideological state apparatus of this fascist government that we live in right now. From pre-K to when they graduate, and even throughout the universities, they're pushed and educated in bourgeois ideology. It's quite horrifying to see. I am a school teacher – I teach sixth grade – and the curriculum is only going to be getting worse in the future. It's already bad right now. I do my best in the classroom, but in 2030 the whole curriculum is going to be changing.

For example, they are going to be getting rid of world cultures as a topic. The curriculum expands on world cultures to the extent of the Western world – the U.S. and maybe a bit of Latin America. The verbiage in this new curriculum is like "the noblest experiment" and "the birth of Western civilization" and "the noblest experiment of Texas and America." It's quite hilarious and horrifying at the same time. They're teaching third graders the free enterprise system and the glory of capitalism. This is real – ancient Israel's connection to Texas and America, third graders. It's on some Mormon stuff, apparently. I don't know. But yeah, the role of school institutions in the education system is quite damning, to be honest.

Kenny: And I would say all of this, what David's speaking to with how they're adjusting curriculum – we were talking about it earlier – they're also teaching kids that if you want change, go ahead and get out there and vote, go to city council, and full stop there. I really think this speaks to the power that student movements have had in the past.

When we saw massive walkouts for immigrant rights in LA, those were uncontainable,

and the legacy of that is still with these LA students today. With the walkouts that were happening in January, a lot of parents were supportive because they themselves had been a part of walkouts in the '90s and other times as well. This attempt to demobilize the youth speaks to the power that the ruling class sees in them. And that's why it's essential that we step up and protect them when they push the boundaries of what they're taught and are righteous in standing up for what they believe in.

Morgan: 100%. I told a group of students yesterday that fascism is nothing without lies and fear. I think schools are a bit of a mixed bag in terms of their role in the rise of fascism. On the one hand, you have young people who are in school, and young people are definitionally very brave. They don't have a prefrontal cortex that's fully developed, so they don't have the same fears that we do. Educated, brave young people are very dangerous to fascism. They have the truth and courage on their side in the face of these lies and fear.

Fascists know that. And to try to curb against that power, they implement things like content control – try to control what is being taught in the classroom – and also try to reduce access to education. In our local community, Austin is facing the shutdown of a bunch of public schools right now. UT gets more and more expensive every year. History, even recent history, certainly teaches us how powerful young people and students are, from Kent, Ohio, to the Soweto uprising in South Africa, which was a big spark in the movement against apartheid. That was high school students responding to their languages not being taught in school anymore and Afrikaans being imposed on them. They organically stood up, rejected that. It was such a huge threat to apartheid South Africa that almost 200 high school students were killed. We see the fear and the need for fascists and fascism to quash the threat that they see in young, brave, educated people.

Right now, there's a lot of pressure on UT from the White House. I have been representing a very brave young student. His name is Daniel, who, with a group of other students in November, went to the provost suite and very politely asked for a meeting so that they could voice their concern that the federal government was interfering with what is being taught at UT. You'd think that a "free speech" UT campus would be on board with students opposing federal government interfering with curriculum. They politely asked for a meeting to say that they had a problem with departments being dissolved because Trump had identified them as DEI. They never got that meeting. They got a bunch of cops called on them and disciplinary charges.

I would say that fascism and schools have a very close relationship, and there's this really intense dance. It's a space that has a lot of potential for uprising, and for that reason, we see a lot of repression and oppression in the school space.

Kyle: Totally, thank y'all. In a similar vein, I want to talk about why the repression for students is so bad right now. Thinking back to the student encampments a couple years ago – that was really brutally violent. If you were there and saw some of the

footage, a couple of tents went up and DPS goons just swooped in and were extremely violent with people, using pepper balls and things like this.

And then if we think about repression more broadly, in the way some of these other talks have encouraged us to think about how oppression attempts to make us fearful and negatively impact our culture – they're changing curriculums in public schools and things like this. Right now at UT you can see the way that they're dismantling a variety of different departments that they see as left-wing aligned or DEI-aligned. Why do you guys think that the repression is so bad right now for students? Why do you think that the current administration and the current right-wing movement in the United States seems so focused on students and their movements?

David: Students are righteous. They know what is right and what is wrong and they'll stand up for what they believe in. They have a lot of power. The ruling class is afraid of these young people breaking from the norms of society, what the ruling class is trying to impose on society. They're going to try to shut that down quick, and they're going to try to instill a deep fear in not just the students but in the movement as a whole. How we respond to it is by garnering mass support, supporting the students, getting our community members involved – specifically their teachers and families – all uniting to say we will not stand for this, we will not stand for the repression against students, and extending that stance against the deportation machine and the grander scheme of capitalist imperialism.

Kenny: Yeah, for sure. And I also think they're coming down hard on students right now because if we look back at history, student-led movements – student action and their subsequent repression – has at times been a catalyst for even more people to jump in and join the movement. During the civil rights movement, people were doing non-violent action and were brutally repressed and that was televised, and these were young people who were willing to take this risk in Selma. Then we saw mass resistance to their repression and people being like, "Yeah, this is actually something that I need to care about and I can't let this continue."

We are seeing that right now with students who are doing these walkouts. Their bravery is really hitting and moving people. Here in Austin we go to the ISAB facility where immigrants have to go and check in, oftentimes walking around with ankle monitors for unknown periods of time – speaking of surveillance. We talk about these student actions, these student walkouts, and people are moved by it. They're like, "It's great the youth are standing up." A lot of these kids are first generation, second generation. They understand that they are walking out for something bigger than themselves – they're walking out for their parents, for their loved ones, for students who might be too afraid to walk out. Their bravery is a powerful thing.

We're seeing students take up the task of going to their own neighborhoods or neighborhoods in their cities where there is an immigrant presence or people who are under the boot of police violence, ICE violence, gentrification, and displacement, and

hosting speak-outs. On Thursday down in San Antonio, a group of students who participated in walkouts and want to keep going went door to door in an immigrant neighborhood that they had been referred to by their friends and built support for a neighborhood speak-out to further build the courage of that community. To be quite frank, it's not going to be activists in this room on the front lines of the fight against ICE – it is going to be people who are experiencing the worst of it on the move to act. Building that courage is scary, and I think that's why they're coming down on them so hard, and all the more reason to support them.

Morgan: I a thousand percent agree. I think that young people and students are an existential threat to the powers that be, the very same folks who are coming down on them. It's so wild to watch unfold that a grown man like Greg Abbott is really threatened by middle schoolers. It's infuriating, but it also goes to show how weak these fascists are.

I think that the power of young people often is within their vulnerability. Going back to my student Daniel – he is facing suspension because he asked for that meeting. We had a hearing yesterday and he was amazing, by the way. I have to shout him out. UT won't let me be his lawyer in the room, so this week he had to learn lawyer skills – how to cross-examine witnesses, how to give an opening and closing statement. He did amazing.

We worked together on putting this presentation together for the people who, by the way, have already found him guilty. We're just going through the motions. So unfair. But I convinced him to include a picture of him in the Longhorn Band in his presentation, because it's so adorable. He was like 18 and had his scruffy little beard and his band uniform with the fringe, and he's got his trombone. He was like, "Do we have to? I don't want to do this." But I was like, "Daniel, I know that this is just an embarrassing picture for you, but you have to understand the power that you have. You're going to be speaking to a room full of adults, and when they are reminded of your youth and your innocence, their instinct is going to be to want to protect you."

I think that goes exactly to what you were saying about how young people have this ability to spark movements. When we see young people facing this repression, it inspires some of us adults who do have prefrontal cortexes and are worried about losing our jobs and whatever else to be like, "Eff it, if these kids are going for it, I have a duty to be there for them and to protect them." I think that's really powerful. The moral integrity is so compelling, and young people are often our compass.

Kyle: Totally. All power to the students. So the next thing I want to get into is the importance, the context for this stuff, why it matters to support students. And I want to talk about the details of doing that, what that looks like. We were very fortunate earlier to have some lawyers and very experienced people that have been through complicated legal battles talk about what it looks like to support someone through a very heavy, serious trial, lots of technical details.

I'm curious about what y'all's experience has been, the things that you've needed to do to support people. In particular, what are some of the differences or similarities between supporting someone that might be in a more criminal repression situation? How do you think about supporting students that are maybe also facing criminal charges, but then also dealing with disciplinary stuff at their schools – university versus public schools, things like this? Some comparing and contrasting of those two situations.

Morgan: Yeah, I am learning this as I go right now. This is a heavy question for me. But the first thing I thought of was – I was actually an intern for Rhiannon, who I shouted out. She was the first person to tell me this. Raise your hand if you've heard of your right to a jury trial. Yeah. You know that kids don't have that? If a kid is charged with a crime, they don't have a jury trial. You know why? Because good luck finding 12 adults that are going to want to lock a kid in a cage. Our justice system knows that, so they respond to these vulnerable people and the power that vulnerability has and its effects on us and they say, "You know what? You get fewer rights as a result."

That has been what my experience has been like representing the Students for Democratic Society as they go through the disciplinary hearings at UT. They actually have way fewer rights and fewer protections than my clients who I represent in my day job as a public defender, which is mind-boggling to me because I'm a public defender, y'all. My clients are getting absolutely fucked by the system all day every day. I can't say enough bad things about how vulnerable students and young people are when they are facing institutions like the disciplinary processes in their schools or the juvenile criminal system.

Kyle: Just a quick follow-up – thinking through some of the situations you've been in, you have a student going up against disciplinary hearings. What tools are in their toolkit for approaching that? How can you handle that given that not only do they not have legal rights in a legal sense, but also schools are not really legal institutions that have to play by the same rules as a legal institution and have power to wield over the students? How do you think about that as someone who supports students when you go into those situations?

Morgan: Yeah, it's really not easy. What I will say is that because UT right now specifically is coming down really hard on student activists in this kind of unprecedented way where so many of them are facing expulsions or these probation terms – the probation terms, by the way, are coded as "don't engage in activism or you'll get in trouble," which is a violation of their First Amendment rights, but that's the effect they have. It's a silencing effect.

But the more they do this to students, the more the students are learning about it and are empowering each other and demystifying it for each other. They see their friend who got suspended for 18 months, but guess what – he's back now and he's on campus

and he's telling his fellow students, "Yeah, I went through it, this is what it was like," and it doesn't seem so scary anymore.

There's this bravery cycle that is going on where they're really supporting each other. I think the greatest tool that they have is each other. They reached out to ALG – shout out to ALG – and now we're trying to help and support them and build institutional knowledge so that when they graduate, we know what they went through and we can continue to build on it and understand how to try to work this system as best we can. The more we know about it and the more awareness we spread about it –

Raise your hand if you're a Longhorn, if you've ever been to UT. Okay, we've got – this is Austin, a lot of us have some connection to this campus. I hope that you leave this and send an email to the provost and tell him that he's being an asshole to these students. They have community. They have support – I hope increasingly so after this – and they're using it to the fullest.

Kenny: Definitely. That's amazing. Yeah, with these – I'll keep using East Central down in San Antonio as an example – we went through a lot of long conversations with lawyers trying to get people to help us walk back these punishments that were egregious, expunge their records, and so on. There was a really striking conversation with a lawyer where she said what you're saying, which is that students – children – really do not have rights. Their First Amendment rights, when they're not in school, are an extension of their parents'. From a legal perspective, when they're in school, schools legally take the role of the parent. It's called in loco parentis. Kids really do not have rights.

It's crazy that we live in a country that's all about freedom of speech but the youngest among us really don't have it – not to mention people who are incarcerated or formerly incarcerated. This country that bases so much of its honorableness on freedom of speech – it actually really doesn't apply to an incredibly large swath of our society. As we've been speaking, it's become clear why. That would become a problem for the power structure that we live under.

What we're finding, other than needing to undo all of this stuff that is silencing students and others – that means a complete overhaul – but on the road to that, what we can do tangibly when we see political repression of students is expose that to the max. Like Morgan was saying, make sure everybody knows about it. Call up every news agency, every alternative Instagram page, and tell them to put a spot on this. Bring as much attention as possible.

What we've had a lot of luck with in East Central is supportive parents who see themselves as isolated within their community but have a lot of support in the broad sense and can step to administration in the role of a parent and call them out for what they're doing. The more that people reach out to the East Central ISD school board and call them out, the more chance we have to get these punishments walked back. So if everyone could call up this school or write them a letter – it's East Central ISD –

the more pressure that we can apply to these people, the better. We don't have much legal recourse with students who are minors when they stand up and step forward, but that's all the more reason to be pushing for a better world where students and minors have rights.

David: Ultimately we have to be as loud as we can whenever repression hits us, either in the courtroom or in the schoolhouse. With East Central, we've had a lot of students in San Antonio garner mass support. This past Thursday students were knocking on doors, talking about ICE, talking about student repression and repression of protesters, and that's exactly what we need to do. We need to go outside in the real world and talk to people and get more people involved in this movement against ICE and to confront our oppressors directly.

The two times Dare to Struggle went to these school board meetings, after the second time they rolled back a lot of the punishments. No longer are these two students expelled, no longer is this one student in alternative learning placement school, and the suspensions have been reversed – but they're still on the records. At the end of the day, we've got to be loud at all instances of repression. We must take all instances of repression very seriously.

Kenny: I wanted to add a more national thing. This is outside of Austin, but I don't know if you guys have heard about what went down in Quakertown, Pennsylvania. It's really messed up. A small group of students bravely walked out despite their administration threatening them with suspensions. They were like, "It's worth it." They walked out and then a plainclothes sheriff came out and assaulted students. Students didn't know who this guy was, and they fought back when he put one of their peers in a chokehold. It was a very violent thing.

They've got these kids – some have felony aggravated assault on an officer. I would really look into that case if I were you. We're trying to make contact on the ground, but right now that sheriff is placed on administrative leave, he's being paid, no charges have been pressed against him, but charges have been pressed against students. They're all out of jail finally.

What we did there was coordinate with people on the ground for a phone zap of the sheriff's office to try to get these students released. That's one tactic that can be used by people in other places to support something that seems very local, like a small police department brutally repressing students. Please look into that and call the hell out of the sheriff's department and tell them they need to charge that guy. Call the DA. That's one way we can support those students.

Kyle: I hope as you all hear the talks today you feel very convinced that student movements are important and that you should support them. I want to draw one through-line between a lot of the talks as we close out for this section of things today, which is that repression – again, very bad – and so much of it is about convincing you

that there are not options and there's nothing you can do. They want you to believe the students don't have rights, you can't do anything about disciplinary actions, everyone is being surveilled all the time, you've already been charged, you're going to court, you're fucked, you aren't allowed to talk to your friends.

The antidote to this is collective action. It is continuing to push through. It is building more relationships. It is organizing with more people. It is organizing harder. It is not stopping when things get bad – it is actually continuing to go and continuing to do more. We've seen plenty of successful examples of this throughout the country. I think of the Stop Cop City movement as being one where I really saw people push through some very brutal oppression and are now coming out on top, quite frankly, as things start to play out and dust settles.

Audience Member: I think there's this vulnerability students have. They don't have rights. They're being tried not in legal processes but in these arbitrary administrative processes. But it also strikes me that these administrators are just petty bureaucrats who are used to wielding their arbitrary power over people who are much younger than them and don't have many connections. To me, that seems like a major source of power we have as organizers supporting them. We have contacts with media, with lawyers. I'm interested – from your experience, both working with these students in San Antonio and working with UT bureaucracy, what are the lever points that organizers can bring? What are the pressures that we can actually use to terrify these petty bureaucrats who want to punish the students, who maybe will back down when they suddenly encounter real pressure from the world?

David: Perhaps the most effective action is getting the parents involved, especially the parents of the students and other supporters, and just telling them directly to their faces, "Yeah, you're on the side of ICE, you're on the side of DHS. Why are you excessively punishing these students?" Pressure, pressure, pressure at the end of the day.

Morgan: I love everything you just said. To me it's shame. They are these petty bureaucrats. I'm actually not allowed to name any of the people that are involved in the disciplinary hearings at UT, but that's exactly right there. There are people who are formerly in Ken Paxton's AG's office, formerly working for Greg Abbott, going through these disciplinary hearings and literally interrogating children. That's what they get paid to do. They get paid $130,000 to $200,000 a year to bully and harm kids. It's wild. They should be ashamed of themselves and we should all be shaming them. It's embarrassing, frankly. I think that exposure and calling them out is the first thing I can think of.

Kenny: And if you're not a lawyer and you're not bound by certain things, you can name people publicly. I think people try to avoid that, but we need to understand who in our direct proximity – who are these petty bureaucrats doing the work of the

repressive apparatus? Who are the people in cahoots? We find this out through experience, by talking to people. Who is the person enacting these extremely repressive techniques? That person needs to be exposed for what they are. Some people do have limitations because of a job or whatever, but those of us who don't – those people need to be put on blast and named for what they are doing and who they are, which is an agent of the state.

Not being afraid to name that and bring that to their office, bring that to their door, and let them know that they are being watched and people know who they are and they know what they're doing and they see what they're doing. I think that takes a certain amount of bravery and stepping out of this white polite society to do that, but we have to demystify who the enemy is in practice. It could feel like this all-encompassing beast of oppression, but it's really carried out by individuals. This politeness – we need to get over it. Like Morgan just said, we need to be unafraid of having these confrontations and calling people out on their shit. I hope that everybody who came to this leaves with that. Now is not the time to retreat into the shadows. It's the time to step forward together.

Audience Member: The situation at East Central really grabbed my attention and I called the principal and the vice principal and just left messages. But it's just such a little thing. I wrote down Dare to Struggle and I would like to – I've walked with the students a couple times in Austin to observe and watch, like at Capitol Plaza when all the cop cars – there were eight DPS cars that showed up. We just want to help and not hurt. We're all amateurs at this. Another thing is we were realizing – what are the laws about kids being out of school? Because once they were headed to Congress Avenue, we were like, "That doesn't seem right. Is that legal? What's going on?" But my main question is, they're going to be walking out more and we're going to be there. Is there anything that we need to know? Can you guys give us training on how to observe kids walking out?

Kenny: Yeah, I mean, as I said before, numerous conversations with lawyers – these kids don't have rights, especially when they leave school grounds. Technically that's not protected, and the law doesn't really say much about that. The schools have the ability to control students through the student handbook, which often says if you leave campus you're going to face disciplinary action. The language involved there is extremely broad – you could be leaving campus to do something outrageously dangerous, you could be leaving campus to protest, and the language is so broad that schools can pick and choose. Kids ditch all the time with no repercussions, but the second they're organized in protest, then they start to apply these things.

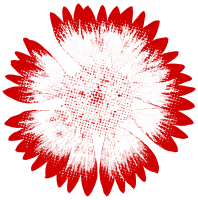
Going through that pathway of trying to support students by being like "this is the law, this is not the law" – I don't think that's the best framing for supporting students during walkouts. I would say the best way to support them, and we could write more about this – I think this is a really great question – is to follow the students'

lead. Sometimes when you're doing what is right, it is not necessarily protected by the laws or by your student handbook. We should rely on the moral high ground and the commitment by these students to fight for the dignity of their loved ones, their neighbors, as the guiding light.

I really appreciate your question and I think we will put out something more, maybe a training for adults who want to support students. I will also say – we didn't really touch on this very much, but many people who have supported student walkouts, including an adult here in Austin who was delivering snacks and first aid to students who had left campus, was detained by APD. That is something to be mindful of. Someone in South Carolina, for simply supporting students in a group chat, committing to show up, and telling them about right-wing threats that were being made against them on Facebook – they said she was contributing to the delinquency of a minor. They charged her. She's fighting that hard, which is good. But sometimes the best way for adults to support the students is to get in the way of the police, the administration who is trying to silence them.

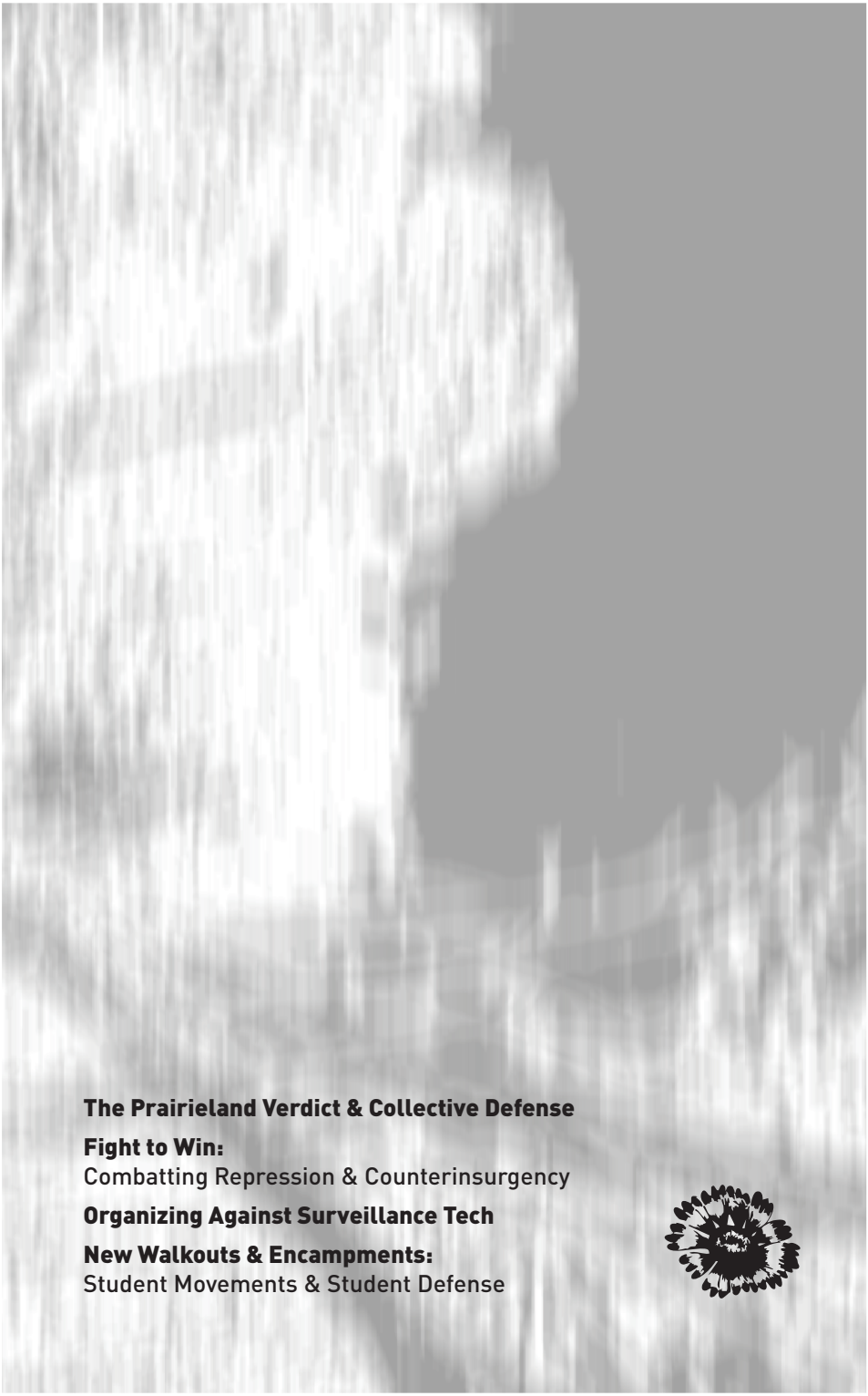
"The crux of a political defense is solidarity. And the crux of real solidarity is that feeling of: I can't leave, I can't do this without other people, my survival depends on you."

— Lee, DFW Prairieland Support Committee



Firewheel

Building movement ecology and cultures
of resistance in Central Texas



The Prairieland Verdict & Collective Defense

Fight to Win:
Combatting Repression & Counterinsurgency

Organizing Against Surveillance Tech

New Walkouts & Encampments:
Student Movements & Student Defense